

<p style="text-align: right;">Page 5</p> <p>1 INDEX TO EXHIBITS</p> <p>2 Wall</p> <p>3 Depo. Ex. Description Page</p> <p>4 1 1962 aerial photo of area including 22</p> <p>5 South Dayton Dump</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 7</p> <p>1 A Yeah.</p> <p>2 Q Well, generally it involves a --</p> <p>3 A Right.</p> <p>4 Q -- a landfill.</p> <p>5 A Across from the building.</p> <p>6 Q Right. Now, the process that we're</p> <p>7 going to go through is I'm going to ask questions,</p> <p>8 and then you're going to answer the questions, and</p> <p>9 the court reporter is going to take all of that</p> <p>10 down. So in order to make her job easier, I'd like</p> <p>11 to ask you to agree with me that we won't speak</p> <p>12 over one other. Okay?</p> <p>13 A Okay.</p> <p>14 Q So I will ask my question, and then</p> <p>15 I'd like you to wait until I'm completely done</p> <p>16 asking my question, and then I will wait while you</p> <p>17 give your answer. All right?</p> <p>18 A Okay.</p> <p>19 Q Please try to make sure all of your</p> <p>20 answers are verbal instead of shaking your head or,</p> <p>21 you know, nodding. She can't take that down. All</p> <p>22 right?</p> <p>23 A Yes.</p> <p>24 Q If you don't understand a question,</p> <p>25 please let me know and I can ask it in another way.</p>
<p style="text-align: right;">Page 6</p> <p>1 CLARENCE WALL,</p> <p>2 a witness being of lawful age, having been duly</p> <p>3 cautioned and sworn, did testify upon his oath as</p> <p>4 follows:</p> <p>5 CROSS EXAMINATION</p> <p>6 BY MS. WOLFE:</p> <p>7 Q Please state your name and spell</p> <p>8 your last name for the record, please.</p> <p>9 A The whole name?</p> <p>10 Q The whole name.</p> <p>11 A Clarence Eugene Wall, W-A-L-L.</p> <p>12 Q Good afternoon, Mr. Wall. My name</p> <p>13 is Leslie Wolfe, and I represent the Plaintiffs in</p> <p>14 this case, and we're here to take your deposition</p> <p>15 today.</p> <p>16 Did you receive a Subpoena to be here</p> <p>17 today?</p> <p>18 A Yes.</p> <p>19 Q Okay. Have you ever been deposed</p> <p>20 before?</p> <p>21 A No.</p> <p>22 Q Are you familiar with what this case</p> <p>23 is about?</p> <p>24 A Somewhat.</p> <p>25 Q Generally?</p>	<p style="text-align: right;">Page 8</p> <p>1 Or if you don't know the answer, that's fine, too.</p> <p>2 Just say you don't know. But if you do answer a</p> <p>3 question, I'm going to assume you understood what I</p> <p>4 was asking before. Okay?</p> <p>5 A Yes.</p> <p>6 Q And if you need a break for any</p> <p>7 reason, please just let me know.</p> <p>8 A Okay.</p> <p>9 Q Mr. Wall, what is your current</p> <p>10 address?</p> <p>11 A 394 Marshall Drive. That's in</p> <p>12 Xenia, X-E-N-I-A, Ohio 45385.</p> <p>13 Q And your date of birth?</p> <p>14 A November the 7th of 1934.</p> <p>15 Q Have you ever had your deposition</p> <p>16 taken?</p> <p>17 A Not that I remember.</p> <p>18 Q Okay. Now, as you know, we're here</p> <p>19 to talk about the time when you were working for</p> <p>20 Dayton Power and Light Company, which I'm going to</p> <p>21 refer to as DP&L. Okay?</p> <p>22 A Mm-hmm. Fine.</p> <p>23 Q First, tell me are you retired now?</p> <p>24 A Yes.</p> <p>25 Q When did you retire?</p>

<p style="text-align: right;">Page 9</p> <p>1 A In 2002.</p> <p>2 Q Before that where did you work?</p> <p>3 Before you retired where did you work?</p> <p>4 A You mean before I started work at</p> <p>5 DP&L?</p> <p>6 Q No, I just wanted to establish</p> <p>7 whether you were working at DP&L up until the time</p> <p>8 you retired.</p> <p>9 A Yeah.</p> <p>10 Q Well, when did you start working at</p> <p>11 DP&L?</p> <p>12 A Forty-eight years, so it would make</p> <p>13 it about 1956, I think. In April.</p> <p>14 Q So you were hired on in 1956, and</p> <p>15 you worked there until 2002; correct?</p> <p>16 A Mm-hmm.</p> <p>17 Q What location were you at when you</p> <p>18 worked for DP&L?</p> <p>19 A I hired on in Xenia. I worked there</p> <p>20 nine years. Then I transferred into the Line</p> <p>21 Department. And I had trouble climbing, so we had</p> <p>22 to go through the union 'cause they was gonna make</p> <p>23 me quit the Line Department. And then they sent me</p> <p>24 to Dayton, and I had to start over there with the</p> <p>25 Dayton Line Department. Dick Stump hired me over</p>	<p style="text-align: right;">Page 11</p> <p>1 A Well, that's where I reported. They</p> <p>2 had a place uptown for the office personnel.</p> <p>3 Q Are you familiar with the Dayton</p> <p>4 Service Building on Dryden Road?</p> <p>5 A On Broadway?</p> <p>6 Q Broadway.</p> <p>7 A Yes.</p> <p>8 Q It's now called Dryden, but it used</p> <p>9 to be Broadway; right?</p> <p>10 A Okay. Back when I was there it was</p> <p>11 Broadway.</p> <p>12 Q Are you familiar with that building?</p> <p>13 A Yes, I am.</p> <p>14 Q So my understanding is that was</p> <p>15 built in about '55. Does that sound -- do you have</p> <p>16 any idea if that's true?</p> <p>17 A I don't know when it was built.</p> <p>18 Q Okay. So you started on Sycamore</p> <p>19 Street. And was that called the Xenia Service</p> <p>20 Center?</p> <p>21 A Yeah.</p> <p>22 Q Then you said did they close that</p> <p>23 building at some time and move it, move to another</p> <p>24 location?</p> <p>25 A We moved to a new location, and they</p>
<p style="text-align: right;">Page 10</p> <p>1 there.</p> <p>2 Q So you started in Xenia. Was that</p> <p>3 at a Service Center in Xenia?</p> <p>4 A Yeah. It was down on Sycamore</p> <p>5 Street, and then they moved from there out to Hoop</p> <p>6 Road.</p> <p>7 Q To where?</p> <p>8 A Hoop, H-O-O-P, Road. That's where</p> <p>9 our Service Center is now.</p> <p>10 Q So for a part of that time you were</p> <p>11 based out of the Syracuse Street location and then</p> <p>12 part of that time you were --</p> <p>13 A Sycamore.</p> <p>14 Q Or I'm sorry. Sycamore. What did I</p> <p>15 say? Sycamore.</p> <p>16 A That's where they used to have their</p> <p>17 headquarters and everything. Then they transferred</p> <p>18 -- or bought that ground out there and built a new</p> <p>19 building.</p> <p>20 Q What was the Sycamore Street</p> <p>21 location headquarters of?</p> <p>22 A It had Line Department and Gas,</p> <p>23 Meter Reading.</p> <p>24 Q When you say it was headquarters,</p> <p>25 though, what do you mean by that?</p>	<p style="text-align: right;">Page 12</p> <p>1 sold -- either sold it or -- I think they probably</p> <p>2 sold it 'cause they had a little substation down</p> <p>3 there, too. It's still there, but I don't think it</p> <p>4 feeds anything.</p> <p>5 Q When they moved to the Hoop Road</p> <p>6 location, did all the same departments move along</p> <p>7 with the Service Center?</p> <p>8 A Plus the people uptown. They closed</p> <p>9 the uptown office and moved it out there, too.</p> <p>10 Q What street was that uptown office</p> <p>11 on?</p> <p>12 A South Detroit.</p> <p>13 Q So they closed the South Detroit</p> <p>14 location and the Sycamore Street location and</p> <p>15 consolidated both of those at Hoop Road?</p> <p>16 A Right.</p> <p>17 Q For the nine years that you were in</p> <p>18 Xenia, how much of that time was on Sycamore Street</p> <p>19 and how much was on Hoop Road?</p> <p>20 A Let's see. They built the place --</p> <p>21 I would say about three years on Sycamore.</p> <p>22 Q And then the remaining period was on</p> <p>23 Hoop Road, so that would --</p> <p>24 A Mm-hmm.</p> <p>25 Q -- make six years?</p>

Page 13	Page 15
<p>1 A Yeah. They're still operating out 2 of that building. 3 Q Are both of those in Xenia? 4 A What's that? 5 Q Both of those locations in Xenia? 6 A No. 7 Q What city is Hoop Road? 8 A One's two and a-half miles out of 9 town, and the other one's right off of Third 10 Street. 11 Q What do they call the Hoop Road 12 facility? 13 A Xenia Service Center, I guess. 14 Q They still call it Xenia Service 15 Center? 16 A Yeah. 17 Q But it's not really in Xenia? 18 A No. 19 Q And you were -- what department of 20 DP&L were you in when you were in Xenia? 21 A Gas Department. That's where I 22 hired in at. 23 Q And then you said at some point you 24 transferred to the Line Department; correct? 25 A Mm-hmm, yes.</p>	<p>1 Dayton Service Building, do you know what year that 2 was? 3 A No, I don't. 4 Q Would you say it was around -- 5 A I'd say it was about nine years and 6 six months from after I hired in. 7 Q So would that be very late 1965? 8 A I'd say '65, something like that 9 best I can remember, '64 or '5. 10 Q '64 or '65? 11 A Yeah. 12 Q And how long did you work out of the 13 Dayton Service Building? 14 A Probably 15 years. Maybe longer. 15 Q You said at one point you had 16 trouble climbing? 17 A Yeah. 18 Q Was that at the end of that 15-year 19 period? 20 A No, no. That was probably a year 21 and a-half or two years after I was a lineman. 22 Q And what did that -- what did that 23 mean for you? 24 A My knees wouldn't -- my knees just 25 was weak and they wouldn't stand me being on hooks</p>
Page 14	Page 16
<p>1 Q And when you transferred to the Line 2 Department, were you still at Hoop Road? 3 A Yeah. 4 Q How long did you work at Hoop Road 5 in the Line Department? 6 A Probably maybe six months. 7 Q And after that you transferred to 8 the Dayton Service Building on Broadway? 9 A Yes. 10 Q And you were still in the Line 11 Department; correct? 12 A Yes. 13 Q Why did you transfer from Hoop Road 14 to Broadway? 15 A Because Broadway had an apprentice 16 program where Hoop Road did not. 17 Q For that six months when you were at 18 Hoop Road as part of the Line Department, what was 19 your job title? Were you an apprentice then? 20 A Apprentice lineman. 21 Q You were an apprentice lineman? 22 A Yeah. You hire in as an apprentice, 23 and then you go second, first and then trouble man 24 and a leader. 25 Q So when you transferred to the</p>	<p>1 all the time or a pole. 2 Q So that meant you no longer had to 3 climb the poles? 4 A Yeah. That's right. 5 Q Did you stay in the Line Department? 6 A Yeah. 7 Q And how did your job change? 8 A I went to equipment operator. It 9 was a special purpose equipment operator. 10 Q So did you remain a special purpose 11 equipment operator for the remaining time of that 12 15-year period? 13 A Yes. 14 Q What did a special equipment 15 operator do? 16 A We run -- my job was running a 17 puller to pull in lines. And we'd go out and put 18 rope in -- put rope in first. And then they'd set 19 a machine up at one end, hook the wire on the 20 machine, and I'd be down at the other end pulling 21 it in with this big reel. 22 Q So are you saying that you worked on 23 a crew that actually put the lines up -- 24 A Yeah. 25 Q -- between the poles?</p>

Deposition of Clarence Wall, taken January 17, 2012

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<p>1 A Mm-hmm. From one pole to the other.</p> <p>2 Q And you used ropes to do that?</p> <p>3 A Yeah, for about a three-mile area.</p> <p>4 Q So at one point you left the Dayton</p> <p>5 Service Building and you were transferred</p> <p>6 elsewhere; right?</p> <p>7 A Yeah. I left Dayton and went to --</p> <p>8 back to Xenia.</p> <p>9 Q Okay. When was that?</p> <p>10 A I don't know. Probably --</p> <p>11 Q Was it around 1980?</p> <p>12 A Probably in the eighties. I'd say</p> <p>13 early eighties.</p> <p>14 Q Early eighties. It was after that</p> <p>15 15-year period we talked about?</p> <p>16 A Yeah.</p> <p>17 Q So after spending about a 15-year</p> <p>18 period in the Line Department being based in the</p> <p>19 Service Building on Broadway, you then were</p> <p>20 transferred back to Xenia; correct?</p> <p>21 A Yeah. I asked for the transfer.</p> <p>22 Q You asked for it?</p> <p>23 A Yeah. There was an opening, and I</p> <p>24 took it.</p> <p>25 Q What was the opening for?</p>	<p>1 time?</p> <p>2 A Yes, I did.</p> <p>3 Q In what job?</p> <p>4 A Equipment -- or, yeah, special</p> <p>5 purpose equipment operator.</p> <p>6 Q Was that the six-year period we just</p> <p>7 talked about or the earlier period?</p> <p>8 A Yeah, that was the time that I was</p> <p>9 in Xenia -- or Dayton.</p> <p>10 Q Okay.</p> <p>11 A See, I can't remember what year they</p> <p>12 moved out to Woodman. I know this first move I</p> <p>13 think was -- Salem was the first center they opened</p> <p>14 up, and then I think they opened Englewood.</p> <p>15 Q So, Mr. Wall, are you saying that</p> <p>16 there was a portion of the time during that 15-year</p> <p>17 period from about 1965 to 1980 when you were a</p> <p>18 special purpose equipment operator in Woodman?</p> <p>19 A Mm-hmm.</p> <p>20 Q How much of that time period was in</p> <p>21 Woodman?</p> <p>22 A Probably maybe five years.</p> <p>23 Q And the part that wasn't in Woodman</p> <p>24 was a time when you were based in the Service</p> <p>25 Building?</p>
Page 18	Page 20
<p>1 A Equipment operator.</p> <p>2 Q Was it similar to the job you were</p> <p>3 already doing?</p> <p>4 A No. It was running backhoes and</p> <p>5 stuff, which, you know, I knew how to do that</p> <p>6 anyway.</p> <p>7 Q And then how long did you stay in</p> <p>8 that position?</p> <p>9 A Till I retired.</p> <p>10 Q So about 1980 until 2002?</p> <p>11 A Well, wait a minute. I take that</p> <p>12 back. I did go into the Gas Department for</p> <p>13 probably six years.</p> <p>14 Q So during that period 1980 to 2002,</p> <p>15 you spent about six years in the Gas Department?</p> <p>16 A Yeah, running equipment.</p> <p>17 Q So when you retired, what was the</p> <p>18 last job you had before you retired?</p> <p>19 A Equipment operator.</p> <p>20 Q That was back to being an equipment</p> <p>21 operator?</p> <p>22 A Mm-hmm.</p> <p>23 Q And was that based in Xenia?</p> <p>24 A Yes.</p> <p>25 Q Did you work out of Woodman at one</p>	<p>1 A Right.</p> <p>2 Q You moved around a lot.</p> <p>3 A Not as much as some of 'em.</p> <p>4 Q It sounds like it, though. Okay. I</p> <p>5 think I got it straight.</p> <p>6 A Oh, there is one correction.</p> <p>7 Q What's that?</p> <p>8 A When I was at Xenia before I retired</p> <p>9 it wasn't so much a Line Department as it was the</p> <p>10 Underground Department.</p> <p>11 Q Okay. So does that mean that --</p> <p>12 A 'Cause it was the same electric</p> <p>13 lines, but they were underground. Got you</p> <p>14 confused?</p> <p>15 Q You got me confused. Let me ask if</p> <p>16 this is correct.</p> <p>17 A Okay.</p> <p>18 Q The first time you worked in the</p> <p>19 Line Department was that when you were on Hoop Road</p> <p>20 and you had that six-month period in about 1964 or</p> <p>21 so?</p> <p>22 A Yeah.</p> <p>23 Q You worked for six months in the</p> <p>24 Line Department on Hoop Road?</p> <p>25 A Yeah. Then I come to Dayton.</p>

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Deposition of Clarence Wall, taken January 17, 2012

<p style="text-align: right;">Page 21</p> <p>1 Q And then you came to Dayton?</p> <p>2 A Mm-hmm.</p> <p>3 Q So the period of time when you were</p> <p>4 working for the Line Department was roughly 1964 or</p> <p>5 1965 until you retired, except for there was a</p> <p>6 period of time that you were in Underground and</p> <p>7 Gas?</p> <p>8 A Right. Because they -- in the</p> <p>9 district Underground and Gas, you know, was</p> <p>10 basically the same. I mean, we dug a ditch two</p> <p>11 foot wide, put wire on this side and a gas main on</p> <p>12 this side. So --</p> <p>13 Q Those were not within the Line</p> <p>14 Department; correct?</p> <p>15 A Huh? Well, it was all line or gas,</p> <p>16 I mean, you know. I don't know how the company</p> <p>17 separated costwise, but we went out and done the</p> <p>18 same job. We'd dig the ditch and then put the wire</p> <p>19 on one side and the gas main on the other side.</p> <p>20 Q Okay.</p> <p>21 A Put the transformers and pedestals</p> <p>22 in.</p> <p>23 Q Okay. I'm going to ask you some</p> <p>24 questions about each of these different jobs that</p> <p>25 you did. All right?</p>	<p style="text-align: right;">Page 23</p> <p>1 There's the building.</p> <p>2 Q So this photo depicts generally the</p> <p>3 intersection of Dryden and East River Road and the</p> <p>4 river.</p> <p>5 A Mm-hmm.</p> <p>6 Q Are you --</p> <p>7 A Yeah.</p> <p>8 Q Does that look familiar to you?</p> <p>9 A I think so.</p> <p>10 Q Well, I wanted to ask you some</p> <p>11 questions about the different buildings that were</p> <p>12 on the property where the Service Building was.</p> <p>13 A Mm-hmm.</p> <p>14 Q Can you recognize on that map where</p> <p>15 the Service Building was?</p> <p>16 A Not for sure.</p> <p>17 Q Okay. All right. We don't have to</p> <p>18 do that then if it's difficult to familiarize</p> <p>19 yourself with it.</p> <p>20 Well, putting the map aside then for a</p> <p>21 minute, do you remember the buildings that were --</p> <p>22 A Yeah.</p> <p>23 Q -- located on the property where the</p> <p>24 Service Building was?</p> <p>25 A Most of 'em.</p>
<p style="text-align: right;">Page 22</p> <p>1 A Okay.</p> <p>2 (WHEREUPON, Wall Deposition</p> <p>3 Exhibit Number 1 was marked</p> <p>4 for purposes of</p> <p>5 identification.)</p> <p>6 Q Showing you what the court reporter</p> <p>7 has marked for identification as Exhibit 1. This</p> <p>8 is an aerial photo from 1962. And if you would</p> <p>9 just take a look at that and tell me if you</p> <p>10 generally recognize the area where the DP&L Service</p> <p>11 Building on Broadway was? Do you recognize it on</p> <p>12 there?</p> <p>13 A It seems like it's right here.</p> <p>14 Q Well, it's actually just adjacent or</p> <p>15 near the river. Do you see the river running</p> <p>16 through that photograph?</p> <p>17 A That's the river?</p> <p>18 Q Yes.</p> <p>19 A Okay. Then the building should have</p> <p>20 been on this side.</p> <p>21 Q The top of the page is north.</p> <p>22 A North. This is 75? Is 75 on here?</p> <p>23 Q 75 is on there. It runs from the</p> <p>24 top of the page down to the bottom of the page.</p> <p>25 A Okay. This must be 75. Okay.</p>	<p style="text-align: right;">Page 24</p> <p>1 Q Can you describe them to me?</p> <p>2 A There was the main building, Service</p> <p>3 Building, and then out behind it was an oil</p> <p>4 building where they took oil out of transformers</p> <p>5 and cleaned it, put it back. And then there was a</p> <p>6 garage down at the other end of the lot, and then</p> <p>7 they had a building for the storeroom that worked</p> <p>8 outside. There was a building for it. And then</p> <p>9 there was a building at the gates where you drive</p> <p>10 in off of Broadway for the guard to be in.</p> <p>11 Q Was that guard building on the south</p> <p>12 end or north end of the property?</p> <p>13 A It was -- you come across the</p> <p>14 bridge, turn left into the lot.</p> <p>15 Q So that was near the river?</p> <p>16 A Right.</p> <p>17 Q Was that the north end of the</p> <p>18 property?</p> <p>19 A Yeah, I'd say so.</p> <p>20 Q Was that an employee parking lot or</p> <p>21 a --</p> <p>22 A Well --</p> <p>23 Q -- truck lot?</p> <p>24 A You had to pull in there, and then</p> <p>25 you went to the employee parking lot or you could</p>

6 (Pages 21 to 24)

<p style="text-align: right;">Page 25</p> <p>1 turn right and go down to the garage, and you could</p> <p>2 circle around the building and come back out in the</p> <p>3 parking lot again.</p> <p>4 Q When you worked there is that where</p> <p>5 you pulled in in the mornings?</p> <p>6 A Yep.</p> <p>7 Q Did you work the day shift?</p> <p>8 A Yep.</p> <p>9 Q Did you always work the day shift?</p> <p>10 A Unless I was called in.</p> <p>11 Q Did you ever work a regular night</p> <p>12 shift?</p> <p>13 A No.</p> <p>14 Q Did your shift remain the same the</p> <p>15 whole time you were out there?</p> <p>16 A Yeah.</p> <p>17 Q What time did your shift begin?</p> <p>18 A 7:30.</p> <p>19 Q And you would drive to work in your</p> <p>20 car and park in the parking lot that you just</p> <p>21 described?</p> <p>22 A Yep.</p> <p>23 Q And what would be the first thing</p> <p>24 you would do when you got to work after parking</p> <p>25 your car?</p>	<p style="text-align: right;">Page 27</p> <p>1 A Mm-hmm.</p> <p>2 Q There was a pool table?</p> <p>3 A Yeah, had a pool table, had card</p> <p>4 tables in there.</p> <p>5 Q Did you sometimes spend the whole</p> <p>6 day down there?</p> <p>7 A Yeah, sometimes maybe a week.</p> <p>8 Depends on how cold it was. If it was cold the</p> <p>9 whole week, we'd spend the whole week down there if</p> <p>10 we didn't have to go out on a call.</p> <p>11 Q If the weather was bad for a long</p> <p>12 time and they knew it was going to be bad, did you</p> <p>13 still have to come to work?</p> <p>14 A Yeah.</p> <p>15 Q They never just said "stay home"?</p> <p>16 A No.</p> <p>17 Q You mentioned there was an oil</p> <p>18 building behind the main Service Building?</p> <p>19 A Mm-hmm.</p> <p>20 Q Was that --</p> <p>21 A They called it the Oil House.</p> <p>22 Q That was called the Oil House?</p> <p>23 A Yeah.</p> <p>24 Q Did you ever work in the Oil House?</p> <p>25 A No. That was electric</p>
<p style="text-align: right;">Page 26</p> <p>1 A Go in the building usually.</p> <p>2 Q Did you have to check in or sign in</p> <p>3 somewhere?</p> <p>4 A The only time I had to sign in was</p> <p>5 if I worked overtime.</p> <p>6 Q And how did you find out where you</p> <p>7 were going to be going for the day on any given</p> <p>8 day?</p> <p>9 A I'd go in to work. Then I'd go out</p> <p>10 on the dock, and my foreman would pick up the</p> <p>11 orders, come out on the dock and tell us what we</p> <p>12 was going to do, and then we'd get the material and</p> <p>13 go do it.</p> <p>14 Q Did you always go right out at the</p> <p>15 beginning of the day?</p> <p>16 A Well, unless it was raining. We had</p> <p>17 an inclement weather clause for 10 -- you know, if</p> <p>18 it was raining or -- and if it was -- I forget what</p> <p>19 the temperature was, zero or 10 above, something</p> <p>20 like that, we didn't have to work.</p> <p>21 Q And if you had inclement weather</p> <p>22 like rain or cold temperatures, what did you do</p> <p>23 then?</p> <p>24 A Went down and played pool.</p> <p>25 Q In the building?</p>	<p style="text-align: right;">Page 28</p> <p>1 constructions.</p> <p>2 Q Pardon?</p> <p>3 A Electric -- substation electricians,</p> <p>4 put it that way.</p> <p>5 Q What did the substation electricians</p> <p>6 do? I don't understand what you're saying.</p> <p>7 A Well, they had these big</p> <p>8 transformers in substations, and they would have to</p> <p>9 drain oil out of 'em and put new oil in 'em. Then</p> <p>10 they'd take the old oil over and run it through</p> <p>11 this building through the refinery thing in it, and</p> <p>12 then like new oil they could take it back out and</p> <p>13 reuse it.</p> <p>14 Q In your time working in the Line</p> <p>15 Department and based at the Dayton Service</p> <p>16 Building, did you become familiar with a lot of the</p> <p>17 operations that took place there?</p> <p>18 A Not familiar enough to do 'em. I</p> <p>19 just knew what they did in 'em, you know.</p> <p>20 Q Did you walk around the building and</p> <p>21 see what other people were doing?</p> <p>22 A Yeah.</p> <p>23 Q Did you go into the Oil House?</p> <p>24 A I never went in there when they was</p> <p>25 doing it, no.</p>

<p style="text-align: right;">Page 29</p> <p>1 Q You mentioned there was a garage at 2 the end of the lot; correct? 3 A Right. 4 Q Was that at the south end by East 5 River Road? 6 A That's where they done the body work 7 and overhaul the equipment or if it broke down 8 where they took it to have it fixed. 9 Q Did you ever work in that building? 10 A No. 11 Q You mentioned there was a building 12 -- 13 A I was in it, but, I mean, I was 14 never a mechanic or body man or anything. 15 Q You've been inside that garage? 16 A Oh, yeah, a lot of times. 17 Q When would you go inside there? 18 A If I had a truck and a headlight was 19 out or something I'd take it in there and have 'em 20 fix it before I'd take it out or if it didn't run 21 right. 22 Q You mentioned there was a building 23 for the storeroom; is that correct? 24 A Yep. 25 Q Was that attached to the main</p>	<p style="text-align: right;">Page 31</p> <p>1 A That was just a place for the -- 2 they used to have -- DP&L when you got, I don't 3 know, so old or something, you know, they would put 4 you out there as a guard and you'd just check the 5 cars in and out. 6 Q Did you ever do that job? 7 A No. 8 Q You're not old enough yet? 9 A I wasn't old enough then. By the 10 time I got old enough, they did away with it. They 11 got a security system now. The guys ride around in 12 a car. 13 Q When you would go out on a job, 14 would you leave from the Service Building through 15 that gate at the -- near East River Road or up top 16 by where you came in in the morning? 17 A Usually East River Road. 18 Q And then would you return back with 19 your service vehicle through East River Road? 20 A East River Road usually. 21 Q Just let me finish asking my 22 question first before you start your answer just to 23 make it easier for the court reporter. Okay? 24 A Okay. 25 Q Now, for the time period that you</p>
<p style="text-align: right;">Page 30</p> <p>1 Service Building? 2 A Yeah. 3 Q Now, was the storeroom the part that 4 sort of ran alongside Broadway on the west side of 5 the building? 6 A Yeah, and it had big garage doors 7 that opened up on it. 8 Q And was that where the line crew -- 9 A Well, we backed the trucks into the 10 dock, and then on the other side of the dock would 11 be the doors you open up. And they usually kept 12 'em open, though, and then they would -- that's 13 where we'd get our material. 14 Q Did you ever work in the storeroom? 15 A Not Dayton. 16 Q Somewhere else then? 17 A No. Hmm-mm. 18 Q So you would back up the truck and 19 open the doors, and materials could be loaded into 20 the truck from the storeroom? 21 A Right, mm-hmm. 22 Q Was that a daily practice? 23 A Yeah. 24 Q And then you mentioned there was 25 another building at the gate; correct?</p>	<p style="text-align: right;">Page 32</p> <p>1 worked in the Line Department before you were 2 switched to the special purpose equipment operator 3 position, during the time period before your knees 4 got real bad what kind of jobs were you doing? 5 A When I first went over to the Line 6 Department I worked with George Lewis, and he -- 7 his crew set poles by hand and done mostly back 8 yard work. If they had a bad pole or a transformer 9 in the back at night or something, they'd leave it 10 and then we'd come out the next day and go pick it 11 up. 12 Q What was George Lewis's position? 13 A He was a leader. 14 Q Is that same thing as a foreman? 15 A Back then they called 'em working 16 foremens. 17 Q Were there different levels of 18 foremen? 19 A I don't think so. Not that I know 20 of. 21 Q Did each crew have a foreman? 22 A Yeah. 23 Q And then was there an individual 24 that was in charge of several crews? 25 A Later. When I come to Dayton there</p>

Page 33	Page 35
<p>1 was, yeah.</p> <p>2 Q So this period of time when you talk</p> <p>3 about George Lewis, was that before or after you</p> <p>4 came to Dayton?</p> <p>5 A When I did -- the first job I had</p> <p>6 when I come to Dayton I worked with him.</p> <p>7 Q Was he in charge of one crew or more</p> <p>8 than one crew?</p> <p>9 A Just one crew.</p> <p>10 Q And you worked with him and you</p> <p>11 worked on a crew that set poles by hand?</p> <p>12 A Mm-hmm. Dug holes by hand.</p> <p>13 Q Were those new poles or were they</p> <p>14 replacement poles?</p> <p>15 A Oh, could be new or whatever. They</p> <p>16 was usually no bigger than a 40 because they was</p> <p>17 ones back in the easements.</p> <p>18 Q And were you just a laborer then?</p> <p>19 A Yeah.</p> <p>20 Q You weren't an apprentice?</p> <p>21 A Well, I was apprentice, but that's</p> <p>22 what I'm telling you they had an apprentice</p> <p>23 program, and that's where all apprentices started</p> <p>24 out with George Lewis. And they worked there, I</p> <p>25 don't know, six weeks, six months, and then they</p>	<p>1 A Well, there's a hole in the crossarm</p> <p>2 in the center of it, and there's two holes in the</p> <p>3 pole at the top, and you shove it through there and</p> <p>4 tighten it up.</p> <p>5 Q Did you deal with any electrical</p> <p>6 equipment as an apprentice?</p> <p>7 A What do you mean?</p> <p>8 Q The actual wires or transformers --</p> <p>9 A Yeah.</p> <p>10 Q -- or capacitors or anything else up</p> <p>11 there?</p> <p>12 A Yeah.</p> <p>13 Q What did you have to do with those?</p> <p>14 A Depends. Sometimes you have to make</p> <p>15 a service for a house or something, and then you'd</p> <p>16 -- occasionally we'd have to go out and change taps</p> <p>17 on a transformer.</p> <p>18 Q What does that mean?</p> <p>19 A Take the lid off the top of it --</p> <p>20 first you pull the cutout to kill it, to kill the</p> <p>21 transformer, and then you take this lid off, and</p> <p>22 you reach your hand down in there. And there was</p> <p>23 A, B and C, and they would tell you which was on,</p> <p>24 and then you'd know to turn it one way or the other</p> <p>25 to put it on the other. Like a hundred percent</p>
Page 34	Page 36
<p>1 went into the regular apprentice out on a crew.</p> <p>2 Q Are you in touch with George Lewis?</p> <p>3 A Huh?</p> <p>4 Q Are you in touch with George Lewis?</p> <p>5 A He died a long time ago.</p> <p>6 Q He died. Okay. And then how long</p> <p>7 after you transferred to Dayton did you start</p> <p>8 having trouble with your knees?</p> <p>9 A Probably two years.</p> <p>10 Q Do apprentices climb poles?</p> <p>11 A Yeah.</p> <p>12 Q And what is the purpose of their</p> <p>13 climbing poles? Why do they climb poles?</p> <p>14 A Well, they had to frame 'em and get</p> <p>15 'em ready to put wires on 'em.</p> <p>16 Q What has to be done to get 'em ready</p> <p>17 for wires?</p> <p>18 A Well, some of 'em have crossarms.</p> <p>19 You'd have three phases on a crossarm, so you'd</p> <p>20 have to put rollers on all them. Then you had your</p> <p>21 secondary down below that, and then if you had a</p> <p>22 transformer you had to put it between a primary and</p> <p>23 a secondary.</p> <p>24 Q How do you affix a crossarm onto a</p> <p>25 pole?</p>	<p>1 turn it to the right. And then you put the lid</p> <p>2 back on and close the cutout, and it's a hundred</p> <p>3 percent then.</p> <p>4 Q Is the cutout something that you</p> <p>5 open?</p> <p>6 A Mm-hmm. With a stick.</p> <p>7 Q With a stick?</p> <p>8 A It's got a fuse in it.</p> <p>9 Q And that allows you to cut the</p> <p>10 power?</p> <p>11 A Mm-hmm.</p> <p>12 Q 'Cause you can't open the</p> <p>13 transformer until you cut the power?</p> <p>14 A Right.</p> <p>15 Q Was there a fluid inside those</p> <p>16 transformers?</p> <p>17 A Oil.</p> <p>18 Q What did it look like?</p> <p>19 A A real light color brown.</p> <p>20 Q Was it thin or thick?</p> <p>21 A Thin.</p> <p>22 Q As thin as water?</p> <p>23 A Yeah, basically.</p> <p>24 Q Did it have any kind of smell?</p> <p>25 A Yeah.</p>

<p style="text-align: right;">Page 37</p> <p>1 Q What did it smell like?</p> <p>2 A I don't know. Just had an oily</p> <p>3 smell to it.</p> <p>4 Q Did all of the transformers contain</p> <p>5 a similar kind of oil like what you're describing?</p> <p>6 A All I know of.</p> <p>7 Q Were those ceramic or metal</p> <p>8 transformers?</p> <p>9 A Metal.</p> <p>10 Q Did you ever see ceramic</p> <p>11 transformers?</p> <p>12 A No.</p> <p>13 Q Were they all round the ones you</p> <p>14 saw?</p> <p>15 A Most I've seen was round, different</p> <p>16 size round ones, but most of 'em was round.</p> <p>17 Q Did they have any nameplates on them</p> <p>18 that said who made them?</p> <p>19 A GE made some. I don't know who else</p> <p>20 made 'em.</p> <p>21 Q Did you see GE nameplates on them?</p> <p>22 A General Motors (sic).</p> <p>23 Q Did you ever see Westinghouse</p> <p>24 nameplates?</p> <p>25 A Yeah, Westinghouse made 'em.</p>	<p style="text-align: right;">Page 39</p> <p>1 A Yeah.</p> <p>2 Q Was there ever a part like that that</p> <p>3 was made out of porcelain instead?</p> <p>4 A That is porcelain.</p> <p>5 Q That is porcelain?</p> <p>6 A Yeah.</p> <p>7 Q Okay. So when you said glass, you</p> <p>8 meant porcelain?</p> <p>9 A Yeah, porcelain. I'm sorry.</p> <p>10 Q No, thanks for clearing that up</p> <p>11 'cause I didn't know that that was one and the</p> <p>12 same.</p> <p>13 A Yeah.</p> <p>14 Q How big were the transformers that</p> <p>15 you dealt with as an apprentice?</p> <p>16 A They'd come different sizes from</p> <p>17 probably a 15 kVA to a hundred kVA.</p> <p>18 Q Were those all pole-mounted</p> <p>19 transformers?</p> <p>20 A Yeah.</p> <p>21 Q Did you do any work on transformers</p> <p>22 other than pole-mounted transformers?</p> <p>23 A Underground.</p> <p>24 Q That was later?</p> <p>25 A Yeah, later.</p>
<p style="text-align: right;">Page 38</p> <p>1 Q How about Kuhlman?</p> <p>2 A I don't remember seeing them.</p> <p>3 Kuhlman?</p> <p>4 Q (Nodding in the affirmative.)</p> <p>5 A I don't remember that. They may</p> <p>6 have.</p> <p>7 Q Is there one called Kuehler?</p> <p>8 A Huh?</p> <p>9 Q Do you remember a manufacturer</p> <p>10 called Kuehler being on any of the transformers?</p> <p>11 A No.</p> <p>12 Q Did the transformers have a glass</p> <p>13 part or piece on top of them?</p> <p>14 A They had two of 'em. One on each</p> <p>15 side. One went to ground; one went to the primary.</p> <p>16 Q Can you describe those glass parts</p> <p>17 to me?</p> <p>18 A They was about four inches around</p> <p>19 and about maybe four to five inches tall, and they</p> <p>20 had a rod that went up through the stuff and then</p> <p>21 you put your wire in on the top.</p> <p>22 Q So it was like a tube-shaped piece?</p> <p>23 A Mm-hmm.</p> <p>24 Q And it just encased the wires that</p> <p>25 connected to the transformers?</p>	<p style="text-align: right;">Page 40</p> <p>1 Q So this initial two-year period</p> <p>2 before you had the knee trouble you worked for</p> <p>3 George Lewis and you did -- you set poles and did</p> <p>4 mostly background work; is that correct?</p> <p>5 A Well, I worked for George Lewis</p> <p>6 probably no longer than six months.</p> <p>7 Q Okay.</p> <p>8 A And then I worked for Bill Weaver.</p> <p>9 They called him Tiny Weaver, but I worked for him.</p> <p>10 That's when I done the climbing.</p> <p>11 Q Now, during that time period, that</p> <p>12 two-year time period, did you ever haul any</p> <p>13 materials from a job site to the South Dayton Dump</p> <p>14 across from the Service Building?</p> <p>15 A When I worked for George Lewis we</p> <p>16 did.</p> <p>17 Q And you're familiar with the South</p> <p>18 Dayton Dump?</p> <p>19 A Yeah.</p> <p>20 Q Did you call it that at the time?</p> <p>21 A I just called it the dump.</p> <p>22 Q Was there any other dump that you</p> <p>23 referred to?</p> <p>24 A Not that I -- not around there there</p> <p>25 wasn't.</p>

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<p>1 Q Did you ever hear that dump called 2 by any other names? 3 A Hmm-mm. 4 Q So when you worked for George Lewis 5 you hauled materials -- 6 A Over there. 7 Q -- from the job to the dump? 8 A Well, we'd go out like after a storm 9 or something and they'd have a broken pole or 10 something. We'd put that on the trailer, and if 11 there was a transformer there we'd throw it on the 12 trailer, take it over and dump it over there at the 13 dump. 14 Q What kind of trailer are you 15 referring to? 16 A It's a pull-type trailer. Bed on it 17 was probably eight foot long and four, five foot 18 wide. 19 Q Was that different than a standard 20 Line Department service vehicle? 21 A Well, it don't have no -- it's just 22 a trailer. 23 Q Is that what you would always take 24 out to a job? 25 A Yeah.</p>	<p>1 trailer on it. 2 Q Let me finish the question. 3 Before you went to the job you would 4 figure you were going to need a trailer, so you'd 5 take one with you? 6 A Right. 7 Q And those poles that you would put 8 on the trailer, were they a full complete length of 9 pole or just part of a pole? 10 A We have taken full poles out, yeah. 11 Q Was the trailer long enough to carry 12 a full pole? 13 A Well, you had winches. We could 14 winch it down. But then we had to put a flag on 15 the end of it 'cause it stuck out past the trailer. 16 Q Did you ever take full poles to the 17 South Dayton Dump? 18 A No. 19 Q Did you take partial poles? 20 A Yeah. 21 Q Did you take crossarms? 22 A Yeah. 23 Q Now, when you were at a job site, 24 did you always take the leftover or the waste 25 materials from the site to the South Dayton Dump or</p>
Page 42	Page 44
<p>1 Q What kind of trucks did you drive or 2 did your crew drive when you worked for George 3 Lewis? 4 A Just a line truck with a crew cab on 5 it. 6 Q Is that different than the trailer 7 you just mentioned? 8 A Yeah. A trailer didn't have no 9 motor or nothing on it. It just hooks on the back 10 of the truck. 11 Q So would a trailer be used when you 12 had a pole that needed to be taken away? 13 A Well, or anything you had to haul we 14 usually put it in a trailer 'cause the inside of 15 the truck had a thing on it that you pulled back, 16 you know, and you're limited to space, and you've 17 already got -- most of that stuff is just that you 18 carry out to take -- to go work on something. 19 Q So was there somebody that would 20 bring the trailer out to you at the job site? 21 A No. We'd pull it out behind the 22 truck. 23 Q So before you went to the job you 24 would figure out -- 25 A Know whether we're gonna need the</p>	<p>1 did you sometimes take it elsewhere? 2 A Most generally it went to the dump. 3 Q Who would decide whether it goes to 4 the dump or not? 5 A I guess George Lewis. I don't know. 6 He was the foreman. Him and the truck driver. He 7 had his own truck driver. 8 Q Do you recall somebody telling you, 9 "Take this material to the dump"? 10 A No, I never -- I never actually 11 drove to the dump. Charles -- or I was in a crew 12 cab, and we'd go out to the dump, and then we'd 13 dump it off out there. 14 Q So you would be riding in the truck 15 and somebody else would be -- 16 A Riding in a truck, yes. 17 Q And the driver would drive into the 18 dump? 19 A Mm-hmm. 20 Q So it wasn't your decision to go in 21 there? 22 A No. 23 Q But you personally were in there? 24 A Yes. 25 Q And then on those occasions when you</p>

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<p>1 went into the dump, did you assist in unloading?</p> <p>2 A Yes.</p> <p>3 Q And did you -- what do you remember</p> <p>4 unloading at the dump?</p> <p>5 A Broken poles, transformers. Small</p> <p>6 ones, usually 15's. Occasionally a 25.</p> <p>7 Q Now, we're talking about the period</p> <p>8 -- the two-year period before you had --</p> <p>9 A That happened --</p> <p>10 Q -- before your knees started getting</p> <p>11 bad and you were changed to equipment operator;</p> <p>12 right?</p> <p>13 A That is the first six months.</p> <p>14 Q This is in the first six months</p> <p>15 you're talking about?</p> <p>16 A Right.</p> <p>17 Q Okay. Now, after the first six</p> <p>18 months you worked for Bill Weaver --</p> <p>19 A Bill Weaver.</p> <p>20 Q Who you called Tiny?</p> <p>21 A Yeah.</p> <p>22 Q And did you work for him for the</p> <p>23 rest of that period until your knees got bad?</p> <p>24 A Yeah.</p> <p>25 Q And when you worked for Bill Weaver,</p>	<p>1 crossarms or whatever, they usually took 'em back</p> <p>2 into the storeroom.</p> <p>3 Q 'Cause those were usable?</p> <p>4 A Yeah, everything was reusable.</p> <p>5 Q When you worked for George Lewis,</p> <p>6 did you sometimes have -- did you ever have</p> <p>7 leftover dirt that had to go to the South Dayton</p> <p>8 Dump?</p> <p>9 A Yes.</p> <p>10 Q And you took it to the South Dayton</p> <p>11 Dump?</p> <p>12 A Yeah.</p> <p>13 Q How much dirt would there be on</p> <p>14 average when you had dirt?</p> <p>15 A Probably a wheelbarrow full maybe.</p> <p>16 Q Did you have wheelbarrows with you</p> <p>17 on these jobs?</p> <p>18 A Yeah.</p> <p>19 Q Why would there be leftover dirt</p> <p>20 that had to be gotten rid of?</p> <p>21 A 'Cause we couldn't tamp it down in</p> <p>22 there. You dig a hole, you set a pole, and the</p> <p>23 circumference of that pole you can't get dirt all</p> <p>24 in around it.</p> <p>25 Q Were those jobs ever replacement</p>
Page 46	Page 48
<p>1 did you continue to do the same kind of work as you</p> <p>2 did for George Lewis?</p> <p>3 A No.</p> <p>4 Q What was different?</p> <p>5 A I climbed poles then.</p> <p>6 Q You didn't climb poles when you</p> <p>7 worked for George Lewis?</p> <p>8 A No. We dug poles by hand, set poles</p> <p>9 by hand. Everything he done was by hand. Might go</p> <p>10 out and fix somebody's flower bed or something.</p> <p>11 Q When you worked for Bill Weaver</p> <p>12 while you were still climbing poles, did you take</p> <p>13 materials to the South Dayton Dump from those jobs?</p> <p>14 A No, I never did take any. After I</p> <p>15 got with Weaver, I never went back over to the</p> <p>16 South Dayton Dump.</p> <p>17 Q So it was just during the six months</p> <p>18 with George Lewis?</p> <p>19 A Yeah. 'Cause everything we got came</p> <p>20 usually right out of the storeroom. He done mostly</p> <p>21 plats and stuff like that. Everything was new.</p> <p>22 We'd set poles. That's when we'd frame poles.</p> <p>23 Q So were there any waste or leftover</p> <p>24 materials from setting those new poles?</p> <p>25 A If there was a waste or extra</p>	<p>1 poles or were those all new poles?</p> <p>2 A With George Lewis we would set a new</p> <p>3 pole to replace an old pole.</p> <p>4 Q Did those jobs involve transformers</p> <p>5 that had blown up or blown out?</p> <p>6 A Normally the ones we set, no. We</p> <p>7 set lift poles mostly where they'd come from a big</p> <p>8 house. The span would be too long, so you had to</p> <p>9 put a pole in here to span it over to a house.</p> <p>10 During a storm or something that's when we'd get</p> <p>11 broken poles and where they'd cut 'em off so they</p> <p>12 could set their new pole.</p> <p>13 Q So when you worked for George Lewis,</p> <p>14 did you have jobs that involved storm-damaged poles</p> <p>15 and transformers?</p> <p>16 A Yeah.</p> <p>17 Q During that period did you have jobs</p> <p>18 that involved --</p> <p>19 A We just went out and cleaned up</p> <p>20 after the line crew is what we done.</p> <p>21 Q Okay. So did it also involve during</p> <p>22 that time period poles that had been hit by cars</p> <p>23 and gotten into wrecks?</p> <p>24 A Yeah.</p> <p>25 Q Did it involve transformers that had</p>

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<p>1 gotten wrecked?</p> <p>2 A Yeah.</p> <p>3 Q Did it involve transformers that had</p> <p>4 gotten completely smashed to where they couldn't be</p> <p>5 repaired?</p> <p>6 A Yeah. Usually when a transformer</p> <p>7 falls it ain't -- you can't repair it usually</p> <p>8 'cause it busts the case on 'em, breaks the case,</p> <p>9 bends it.</p> <p>10 Q Can you estimate how many times</p> <p>11 during that period you worked for George Lewis you</p> <p>12 took any materials of any kind to the South Dayton</p> <p>13 Dump?</p> <p>14 A Probably two or three times.</p> <p>15 Q Only two or three times during that</p> <p>16 whole six-month period?</p> <p>17 A That I can remember of. I might</p> <p>18 have went over more than that, but that's all I can</p> <p>19 remember.</p> <p>20 Q Was it even -- do you think it might</p> <p>21 have been even once a month or less than that?</p> <p>22 A Usually it was right after a storm</p> <p>23 or something is when we had to go over there a lot</p> <p>24 that I went over there with him. I mean, the truck</p> <p>25 driver would take it over if it was just dirt and</p>	<p>1 out in a plat and set 'em, but we'd also set poles</p> <p>2 up between the primary on the lines. They would go</p> <p>3 -- the linemen would go up in a bucket truck and</p> <p>4 put the hoses and stuff on the lines. Then I'd dig</p> <p>5 the hole and they'd hook a pole onto it and set it</p> <p>6 up, set it in there.</p> <p>7 Q When you operated a digger, were you</p> <p>8 part of a line crew or you just went around to</p> <p>9 different line crews and assisted them?</p> <p>10 A Went to different line crews and</p> <p>11 assisted them.</p> <p>12 Q You weren't assigned to one crew?</p> <p>13 A No.</p> <p>14 Q Did you get your orders in a similar</p> <p>15 way as you did before by coming into the Service</p> <p>16 Building and getting orders from a foreman?</p> <p>17 A Well, I was on the dock and get</p> <p>18 orders from the foreman.</p> <p>19 Q Okay. So in the morning you'd go to</p> <p>20 the dock, and was there one particular foreman that</p> <p>21 was in charge of all the operators?</p> <p>22 A There was a foreman that was over --</p> <p>23 two foremans over the diggers. One of 'em was Rule</p> <p>24 Greitz, and the other one was Charlie McQuire.</p> <p>25 Q What was the first name?</p>
Page 50	Page 52
<p>1 dump it by hisself 'cause all he had to do was hook</p> <p>2 a winch onto it, winch it up and let it down. He</p> <p>3 was ready to go. It was like a little dump truck.</p> <p>4 Q Then we talked about how when your</p> <p>5 knees got bad you went over -- you changed jobs</p> <p>6 within the Line Department and you became a special</p> <p>7 purpose equipment operator; right?</p> <p>8 A Mm-hmm.</p> <p>9 Q And is it correct that that happened</p> <p>10 probably in about 1966 or '67?</p> <p>11 A Probably. Maybe '68. I don't</p> <p>12 remember.</p> <p>13 Q Describe your job as a special</p> <p>14 purpose equipment operator.</p> <p>15 A Well, we run -- I run a digger</p> <p>16 truck. There's two digger trucks, and I run that</p> <p>17 pulling machine, and I think that was it.</p> <p>18 Q When you ran the --</p> <p>19 A A dozer, too, bulldozer.</p> <p>20 Q When you ran the digger truck, was</p> <p>21 that digging holes for new poles?</p> <p>22 A Yeah.</p> <p>23 Q So were you working with line crews</p> <p>24 or as part of a line crew?</p> <p>25 A With a line crew. Sometimes we'd go</p>	<p>1 A Charlie McQuire.</p> <p>2 Q What was the other name?</p> <p>3 A Rule Greitz.</p> <p>4 Q Rule, R-I-L-E, or R-U-L-E?</p> <p>5 A R-U-L-E I think it was.</p> <p>6 Q Last name with a G?</p> <p>7 A Yeah.</p> <p>8 Q Do you know if either of them are</p> <p>9 still living?</p> <p>10 A They're both dead.</p> <p>11 Q Yeah.</p> <p>12 A Both deceased.</p> <p>13 Q So on a typical day when you were</p> <p>14 operating the digger, how many jobs would you do?</p> <p>15 A You counting each pole a job?</p> <p>16 Q Yeah.</p> <p>17 A We could do 25 or 30 jobs a day.</p> <p>18 Q How many times would you come back</p> <p>19 to the Service Building in the course of the day?</p> <p>20 A Evening.</p> <p>21 Q So you would go out in the morning</p> <p>22 and be out all day and then come back at the end of</p> <p>23 your shift?</p> <p>24 A Yeah.</p> <p>25 Q And during that time period, did you</p>

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<p>1 ever go to the South Dayton Dump?</p> <p>2 A Not after I left George Lewis I</p> <p>3 never.</p> <p>4 Q So was the six months you worked for</p> <p>5 George Lewis the only time during your career with</p> <p>6 DP&L that you went to the South Dayton Dump?</p> <p>7 A Yeah.</p> <p>8 Q Okay. When you worked for George</p> <p>9 Lewis, did you have to fill out any paperwork?</p> <p>10 A No.</p> <p>11 Q Did you ever see Mr. Lewis filling</p> <p>12 out any paperwork?</p> <p>13 A I'd see him filling it out, yeah.</p> <p>14 Q Do you know what information he had</p> <p>15 to report?</p> <p>16 A He had to turn in a sheet with our</p> <p>17 names on it, how much time we spent on each job,</p> <p>18 and then at the end of the week he totaled it up.</p> <p>19 Q Now, is there a time when you went</p> <p>20 from being an apprentice to a second class lineman?</p> <p>21 A I transferred into special purpose</p> <p>22 equipment operator at the time I would have went to</p> <p>23 second class. That job came open, so I took it.</p> <p>24 Q So by doing that you were no longer</p> <p>25 on the track to become a second class and then a</p>	<p>1 it over and dump it.</p> <p>2 Q Did you see this happen?</p> <p>3 A Huh?</p> <p>4 Q Did you see this happen?</p> <p>5 A I didn't see 'em unloading it, but I</p> <p>6 knew they went in there.</p> <p>7 Q Was that from jobs that you were</p> <p>8 on-site --</p> <p>9 A No.</p> <p>10 Q -- as an equipment operator?</p> <p>11 A Hmm-mm.</p> <p>12 Q So the people that you knew went in</p> <p>13 there, were they coming from job sites?</p> <p>14 A Yeah, they was coming from a job</p> <p>15 site where the transformer -- pole had been hit,</p> <p>16 transformer fell down, and they was bringing the</p> <p>17 transformer in.</p> <p>18 Q How do you know that they were doing</p> <p>19 that?</p> <p>20 A You could see it on the back of the</p> <p>21 truck.</p> <p>22 Q You would see the truck coming down</p> <p>23 the road and turn into the dump?</p> <p>24 A Yeah, turn in there. And they'd</p> <p>25 take it back, unload the transformer and leave it,</p>
Page 54	Page 56
<p>1 first class lineman?</p> <p>2 A Right.</p> <p>3 Q Were there different levels of</p> <p>4 equipment operator that you went through?</p> <p>5 A Well, there was operators and then</p> <p>6 -- there was only one special purpose equipment</p> <p>7 operator.</p> <p>8 Q That was you.</p> <p>9 A Yeah.</p> <p>10 Q And there were other -- what were</p> <p>11 the other operators called?</p> <p>12 A They were just operators. They run</p> <p>13 backhoes or ditch witches and stuff in the Gas</p> <p>14 Department.</p> <p>15 Q Did you ever see any other DP&L</p> <p>16 employees going into the South Dayton Dump to dump</p> <p>17 anything?</p> <p>18 A Yeah, they went in there all the</p> <p>19 time.</p> <p>20 Q Who did?</p> <p>21 A DP&L.</p> <p>22 Q Which --</p> <p>23 A Trucks. I mean, I don't know who</p> <p>24 they were, but if they had a bad transformer that</p> <p>25 fell off of a pole or something they used to take</p>	<p>1 come back --</p> <p>2 Q How often did they do that?</p> <p>3 A Hmm?</p> <p>4 Q How many times would you see that</p> <p>5 happen?</p> <p>6 A Oh, I don't know. I don't know how</p> <p>7 many times I seen it.</p> <p>8 Q Could you see that the transformer</p> <p>9 was on the truck?</p> <p>10 A Yeah.</p> <p>11 Q Could you see anything else on the</p> <p>12 truck?</p> <p>13 A Oil.</p> <p>14 Q You saw the oil?</p> <p>15 A Mm-hmm.</p> <p>16 Q Where were you when you saw this?</p> <p>17 A Huh?</p> <p>18 Q Where were you standing when you saw</p> <p>19 this?</p> <p>20 A Well, I seen the truck when it would</p> <p>21 go in the dump, and then when they'd come over to</p> <p>22 the building I seen the oil on the back of it, so I</p> <p>23 knew that it was a bad transformer.</p> <p>24 Q Did you see that on more than one</p> <p>25 occasion?</p>

<p style="text-align: right;">Page 57</p> <p>1 A Yeah. I don't know how many 2 occasions it was. 3 Q But you have a specific recollection 4 of seeing a truck coming back with oil on it after 5 it had come out of the dump? 6 A Yeah. 7 Q Did those trucks come down to the 8 East River Road gate and come in from the south end 9 that way? 10 A Usually they come across the bridge 11 and went in the ones that I seen. 12 Q You mean they'd come across the 13 bridge from the north and take a right into the 14 dump? 15 A Right. 16 Q And then they would come out of the 17 dump at the same place? 18 A Yeah, and come around and come into 19 the -- usually drive down to the south gate and 20 come back in. We never -- it was hard to bring the 21 big trucks in that other gate up there. It was 22 okay to leave out that one, but the south gate was 23 a lot easier because you had more room. 24 Q When you worked for George Lewis, 25 what other kinds of -- what kinds of materials did</p>	<p style="text-align: right;">Page 59</p> <p>1 supposed to be done? 2 A Huh? 3 Q Was that something that you believed 4 you were supposed to do? 5 A Yeah. 6 Q And what would cause oil to spill on 7 the ground during that time period? What kind of 8 situations would you come across where there would 9 be oil on the ground? 10 A Where the wind would blow a pole 11 down or something back in an easement. 12 Q Did you use anything to clean up the 13 oil other than just scooping up the dirt? 14 A That's it. 15 Q Was there ever spills of oil on 16 pavement or roads? 17 A Yeah. 18 Q And, again, we're talking about the 19 period when you worked for George Lewis; correct? 20 Is that what you're thinking of? 21 A No, this was different. 22 Q What period of time are you thinking 23 of? 24 A Well, they was on Woodman Drive. 25 Gillis was hauling transformers, and he didn't have</p>
<p style="text-align: right;">Page 58</p> <p>1 you take to the South Dayton Dump besides what you 2 mentioned before which were poles, crossarms and 3 transformers? 4 A Dirt. 5 Q Did that dirt have transformer oil 6 in it? 7 A Some of it. 8 Q Was there anything else? 9 A No, we took good dirt and bad dirt. 10 It was all dirt. 11 Q Was that dirt you couldn't put back 12 in the hole? 13 A Yeah. Or if it -- sometimes you had 14 to dig around -- if there was an oil spill, you had 15 to dig some of that up, and then we usually put 16 other dirt down there. 17 Q So was it DP&L's policy to remove 18 any dirt that oil had spilled on during that time 19 period? 20 MR. CAMPBELL: Objection, foundation. 21 THE WITNESS: It wasn't -- I don't know 22 it was their policy or not. We just did it because 23 didn't want the oil on the ground. 24 BY MS. WOLFE (Continuing): 25 Q It was something that you knew was</p>	<p style="text-align: right;">Page 60</p> <p>1 one tied down. And it fell out on Woodman Drive 2 and busted, and we had to clean that mess up. 3 Q How did you clean it up? 4 A Floor-Dry and then sweep it, put it 5 in barrels, and then keep doing that till we got it 6 all up. 7 Q And then what did you do with the 8 material in the barrels? 9 A I think they sent that stuff to 10 Cincinnati. 11 Q That was in the 1970s? 12 A No, that was earlier than that -- or 13 later I mean. 14 Q Was it in the 1980s? 15 A It was about the time I left and 16 went to Xenia. 17 Q Do you need to take a break? We can 18 at any time take a break. 19 A That's okay. I'm all right. 20 Q Going back to the materials that you 21 took to the South Dayton Dump or that you saw taken 22 to the South Dayton Dump when you worked for George 23 Lewis, were there any metal parts? 24 A Yeah. 25 Q What kind of metal parts?</p>

<p style="text-align: right;">Page 61</p> <p>1 A The insulators or bolts, braces. 2 Used to have metal braces on the poles back in them 3 days. 4 Q When you were on a truck that went 5 into the dump, did everything from the truck get 6 dumped? 7 A Everything on the trailer got 8 dumped. 9 Q Everything that was on the trailer 10 got dumped? 11 A Yeah. 12 Q Was there any effort to distinguish 13 something should go in the dump and some things 14 shouldn't go in the dump? 15 A Not as far as we was concerned. 16 Q Now, back at the Dayton Service 17 Building, did you ever see any dumpster or waste 18 container outside? 19 A Paper container. 20 Q There was a paper container? 21 A (Nodding in the affirmative.) 22 Q What did that look like? 23 A Just a thing that you put paper in. 24 Q How big was it? 25 A Probably maybe five foot by three or</p>	<p style="text-align: right;">Page 63</p> <p>1 like that. 2 Q Do you recall any other dumpsters 3 around the building? 4 A Not till later. 5 Q What do you recall seeing later? 6 A Well, later on they bought -- or 7 they had these big ones that they'd slide off of 8 the truck and set there. 9 Q How many were there like that? 10 A Let's see. I only know of one -- 11 there was one for the Line Department and storeroom 12 there. At the end of the storeroom was one. 13 Q So did that replace the paper one 14 that you mentioned earlier? 15 A No, that was -- the paper one was 16 just a thing for people to throw paper in, you 17 know. 18 Q And then they added this larger 19 container that slid off the truck? 20 A Yeah. When they put that in I don't 21 think there was anybody that went to over across 22 the street 'cause they threw everything in there 23 or 90 percent of it. 24 Q So there was a time that you recall 25 that people stopped taking --</p>
<p style="text-align: right;">Page 62</p> <p>1 four foot. Set up on the dock. 2 Q Was it the size of a typical 3 dumpster you'd see behind a building? 4 A Small one, yeah, something like 5 that. Only it had wheels on it. I think the 6 storeroom would take it inside, and I don't know 7 what they done with it. Sent it to someplace, I 8 imagine. 9 Q Now, this was located where in 10 relation to the -- 11 A On Broadway. 12 Q On the west dock where the trucks 13 would pull up? 14 A Right. 15 Q And did you ever see anyone put 16 anything inside it? 17 A We used to throw cardboard in there. 18 We'd get stuff out of the storeroom like 19 insulators. There's so many in a box and put them 20 on the truck and throw the box in that thing. 21 Q Do you know if any other employees 22 other than the storeroom employees put anything in 23 the dumpster? 24 A Anybody that walked down through 25 there throwed stuff in there, paper cups and things</p>	<p style="text-align: right;">Page 64</p> <p>1 A Yeah. 2 Q -- materials to the South Dayton 3 Dump? 4 A Mm-hmm. That I know of anyway. 5 Q Did you ever see anybody take 6 anything from the Dayton Service Building to the 7 South Dayton Dump? 8 A No. You mean out of the building? 9 Q Or anything from that area. We 10 talked about earlier the materials coming from a 11 job when you were working for George Lewis -- 12 A Yeah. 13 Q -- to the dump. 14 A Mm-hmm. 15 Q Did you ever see anything coming 16 from elsewhere to the dump? 17 A Yeah. 18 Q From where? 19 A From the South Yard. 20 Q Where was the South Yard? 21 A As you go out the bottom gate, it 22 was just down the street to the right. 23 Q Was it on the same side of East 24 River Road as the Service Building? 25 A Opposite side.</p>

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<p>1 Q And that was a -- the South Yard was 2 operated by DP&L? 3 A Mm-hmm. 4 Q And was it called the South Yard? 5 A That's all I knew it by. 6 Q What was it used for? 7 A Oh, more or less -- let's see. They 8 had two -- one or two buildings over there that 9 they kept stuff in for the Gas Department. And 10 they would take like broken poles at night and 11 stack 'em over there, and then during the day 12 they'd get 'em. And on a rainy day or where it 13 rains off and on they would go over and load them 14 on a bolt truck and take it over to the South Yard 15 or over there at the dump and dump 'em. 16 Q You're referring to the South Dayton 17 Dump? 18 A Yeah. 19 Q Just to clarify, throughout the 20 deposition when you've been referring to the 21 "dump," do you mean the South Dayton Dump? 22 A Mm-hmm. 23 Q So other than the one or two 24 buildings at the South Yard, what else was at the 25 South Yard? What else did you see there?</p>	<p>1 treated with creosote? 2 A Yeah, they was creosoted. 3 Q Did you see somebody load up a truck 4 or a trailer with those broken poles from the South 5 Yard and drive it across the street to the South 6 Dayton Dump? 7 A What-you-ma-call-it used to do it 8 all the time, pole hauler. I forget what his name 9 was. Whenever a rainy day and they'd get so many 10 poles over there they'd send him over to load them 11 up, him and his helper, and they'd load that truck 12 up, take it over there and dump 'em. 13 Q Did he work in the storeroom? 14 A No. He worked for the Line 15 Department. The storeroom, I guess. I think he 16 worked out of the Line Department. 17 Q Was he an operator? 18 A No. He was a pole hauler. 19 Q He was called a pole hauler? 20 A Yeah. 21 Q That was different from being an 22 operator? 23 A Right. There was a pole hauler, and 24 then there was a material hauler. Gillis was the 25 material hauler.</p>
Page 66	Page 68
<p>1 A Later on they had poles set for an 2 apprentice to climb on, and they used to use it for 3 like the garage had extra trucks. They would park 4 them down there, and the substation they had a lot 5 of their stuff down there. Of course, it would be, 6 you know, a certain section for them. 7 Q Was it used as a storage yard? 8 A Yeah. That's about all it was. 9 Q You mentioned there was a pile of 10 broken poles stacked in the South Yard? 11 A Yeah. 12 Q Where did those broken poles come 13 from? 14 A Jobs out at night where they had to 15 pick 'em up. Pole truck would deliver a new pole, 16 and then they would pick up the old pole and bring 17 it over there and dump it in the South Yard. And 18 then that way they kept the good poles on one -- 19 you know, so you wouldn't get too much there in the 20 main yard. 21 Q Was there anything else that would 22 be brought back by crews at night and put in the 23 South Yard besides poles? 24 A Not that I know of. 25 Q Do you know if those poles were</p>	<p>1 Q Did you see anybody else besides 2 that pole hauler take anything from the South Yard 3 to the South Dayton Dump? 4 A No, I didn't see it, but I know they 5 did. 6 Q Did you ever see a truck parked 7 around or near the Dayton Service Building that was 8 used like a dumpster? 9 A Do what? 10 Q Did you ever see any truck at the 11 Dayton Service Building that was used as a dumpster 12 for waste material? 13 A Not -- not a truck. I don't 14 remember of it. They used to have them things 15 where another truck would hook onto it and pull it 16 up on it. I think Franklin Iron and Metal 17 furnished them, and we'd throw metal in it. That 18 was later on just before I left. 19 Q Do you know if the transformers that 20 you saw taken to the South Dayton Dump when you 21 worked in George Lewis's crew whether those 22 transformers had PCB oil in them? 23 A I guess all of 'em had BC (sic) oil 24 in 'em. 25 MR. CAMPBELL: I'm sorry. Could you</p>

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<p>1 repeat that answer again?</p> <p>2 THE WITNESS: That I know of. Huh?</p> <p>3 MR. CAMPBELL: Could you read back the</p> <p>4 answer?</p> <p>5 (Whereupon, the answer was read back by</p> <p>6 the court reporter.)</p> <p>7 BY MS. WOLFE (Continuing):</p> <p>8 Q Do you mean PCB oil?</p> <p>9 A Yeah, whatever it is.</p> <p>10 Q Was there a time when Dayton Power</p> <p>11 and Light had the Line Department employees test</p> <p>12 for PCBs in the oil?</p> <p>13 A (Indicating in the negative.)</p> <p>14 Q Were you ever involved in any kind</p> <p>15 of testing?</p> <p>16 A No.</p> <p>17 Q Did you ever see that going on?</p> <p>18 A Hmm-mm.</p> <p>19 Q Was there ever a time when you were</p> <p>20 instructed to treat transformer oil differently</p> <p>21 than you had previously?</p> <p>22 A Yeah.</p> <p>23 Q And what were you instructed to do?</p> <p>24 A Well, we were instructed if there</p> <p>25 was any oil spills we was to clean 'em up or call</p>	<p>1 A About the same time.</p> <p>2 Q But prior to that there was a time</p> <p>3 period when there was nothing -- there was no</p> <p>4 marking of the transformers --</p> <p>5 A None.</p> <p>6 Q -- as to whether they were PCB or</p> <p>7 non-PCB?</p> <p>8 A Hmm-mm.</p> <p>9 Q Were you ever instructed to take any</p> <p>10 safety precautions to prevent yourself from coming</p> <p>11 in contact with PCB oil?</p> <p>12 A (Indicating in the negative.)</p> <p>13 Q That's a no?</p> <p>14 A No.</p> <p>15 Q I realized that you were nodding</p> <p>16 your head there.</p> <p>17 A We used to stick our arms in it to</p> <p>18 change them taps.</p> <p>19 Q Did you wear gloves?</p> <p>20 A No.</p> <p>21 Q Did you wash your hands afterwards?</p> <p>22 A In cold water and eating my lunch.</p> <p>23 Q To get the oil off?</p> <p>24 A Yeah.</p> <p>25 Q Because your hands would be greasy</p>
Page 70	Page 72
<p>1 EPA or whatever. Our foremens usually took care of</p> <p>2 all that, though.</p> <p>3 Q Do you know when that was?</p> <p>4 A What do you mean "when it was"?</p> <p>5 Q Well, there was a time period when</p> <p>6 something changed --</p> <p>7 A Yeah.</p> <p>8 Q -- as far as how you were instructed</p> <p>9 to deal with transformer oil; right?</p> <p>10 A Mm-hmm.</p> <p>11 Q And I'm asking when do you think</p> <p>12 that change occurred?</p> <p>13 A Probably in early seventies.</p> <p>14 Q Did you ever see transformers marked</p> <p>15 or tagged as either having PCB oil or not having</p> <p>16 PCB oil?</p> <p>17 A We used to have to put tags on 'em,</p> <p>18 I think, or the storeroom did, it had PCB in it.</p> <p>19 Q Are you referring to new</p> <p>20 transformers --</p> <p>21 A Yeah.</p> <p>22 Q -- that were going out?</p> <p>23 A Mm-hmm.</p> <p>24 Q Do you know when that practice</p> <p>25 began?</p>	<p>1 after they came out of that oil; right?</p> <p>2 A Oily.</p> <p>3 Q Oily. Right. Did you ever have any</p> <p>4 problems with your skin as a result of coming in</p> <p>5 contact with that oil?</p> <p>6 A Nope.</p> <p>7 Q Did you ever know any other</p> <p>8 employees who did?</p> <p>9 A (Indicating in the negative.)</p> <p>10 Q Did you ever know any Line</p> <p>11 Department employees who had any kind of rashes?</p> <p>12 A Hmm-mm. Not over oil.</p> <p>13 Q Did you always work the day shift?</p> <p>14 A Yeah.</p> <p>15 Q Did you ever work the trouble truck?</p> <p>16 A No. Worked with the trouble truck,</p> <p>17 but I never worked the trouble truck.</p> <p>18 Q What did you do when you worked with</p> <p>19 the trouble truck?</p> <p>20 A Just drove with him at night on</p> <p>21 callouts and stuff. If he'd go up and he'd need</p> <p>22 something, he wouldn't have to come all the way</p> <p>23 down. I could toss it to him or tie it on the</p> <p>24 line, and he'd pull it up.</p> <p>25 Q Was that during the time after you</p>

<p style="text-align: right;">Page 73</p> <p>1 stopped climbing poles?</p> <p>2 A Yes.</p> <p>3 Q Was that during the time that you</p> <p>4 were a special equipment operator?</p> <p>5 A Mm-hmm.</p> <p>6 Q So you would still have to work on</p> <p>7 the night crew from time to time?</p> <p>8 A Yeah, they'd call us in, and since</p> <p>9 you was there they'd keep you and have you go out</p> <p>10 with the line crew to assist them.</p> <p>11 Q What kind of jobs did you do when</p> <p>12 you were on the trouble truck?</p> <p>13 A About any kind of trouble. I mean,</p> <p>14 whatever you drove up on. They'd give you an</p> <p>15 outage, and you'd drive up and maybe a hot tap</p> <p>16 burned open or a cutout open.</p> <p>17 Q Was there ever any occasion when you</p> <p>18 were with the trouble truck that a transformer had</p> <p>19 to be replaced on a pole?</p> <p>20 A Yeah.</p> <p>21 Q Did those jobs involve transformers</p> <p>22 that were damaged beyond repair?</p> <p>23 A No.</p> <p>24 Q Did those jobs involve any</p> <p>25 transformer oil leaking or spilling?</p>	<p style="text-align: right;">Page 75</p> <p>1 transformer shop decided whether to repair 'em or</p> <p>2 not.</p> <p>3 Q Did you ever see any fly ash from</p> <p>4 DP&L being taken to the South Dayton Dump?</p> <p>5 A No.</p> <p>6 Q Did you ever see any bottom ash</p> <p>7 being taken there?</p> <p>8 A Hmm-mm.</p> <p>9 Q Did you ever see anything else other</p> <p>10 than the things you've already told me being taken</p> <p>11 to the South Dayton Dump?</p> <p>12 A No.</p> <p>13 Q Did you talk to anyone the times you</p> <p>14 went in the dump?</p> <p>15 A I didn't, no.</p> <p>16 Q Do you remember seeing anyone</p> <p>17 working there?</p> <p>18 A There used to be a guy standing out</p> <p>19 there, but I don't know -- he was probably the guy</p> <p>20 he worked there or owned it. I don't know. We</p> <p>21 just drove by the building.</p> <p>22 Q How far in did you go once you got</p> <p>23 past the gate?</p> <p>24 A We drove in, turned right, and then</p> <p>25 turned left and usually dumped.</p>
<p style="text-align: right;">Page 74</p> <p>1 A I don't remember. Probably leaking,</p> <p>2 but I don't know.</p> <p>3 Q Did those jobs on the trouble truck</p> <p>4 result in any materials that you took or saw being</p> <p>5 taken over to the South Dayton Dump?</p> <p>6 A No.</p> <p>7 Q If the trouble truck ever had any</p> <p>8 materials they had to get rid of, what would they</p> <p>9 do with them?</p> <p>10 A Take them back into the building.</p> <p>11 Q Into the Dayton Service Building?</p> <p>12 A There or Xenia Service Building,</p> <p>13 whichever building they was working at.</p> <p>14 Q Would they be put in a storage yard</p> <p>15 or --</p> <p>16 A Huh?</p> <p>17 Q Were they put in some kind of a</p> <p>18 yard?</p> <p>19 A Yeah, they had an area that they'd</p> <p>20 put bad transformers and they had an area for good</p> <p>21 transformers.</p> <p>22 Q Was the bad transformer area for</p> <p>23 ones that were going to be repaired or ones that</p> <p>24 were going to be trashed?</p> <p>25 A The bad ones I think usually the</p>	<p style="text-align: right;">Page 76</p> <p>1 Q Did you see bulldozers working out</p> <p>2 there?</p> <p>3 A Nope. Never paid no attention to</p> <p>4 'em.</p> <p>5 Q Do you have any memory of looking</p> <p>6 around and seeing any -- what the materials were</p> <p>7 that were in the debris that was already there?</p> <p>8 A Oh, just usually there was just wood</p> <p>9 and stuff there. I mean, I didn't -- it was</p> <p>10 usually close to quitting time. I was ready to</p> <p>11 dump and get out of there.</p> <p>12 MS. WOLFE: Well, I think that I'm done</p> <p>13 asking questions for now, but some of the other</p> <p>14 lawyers might have some questions for you, Mr.</p> <p>15 Wall.</p> <p>16 THE WITNESS: Thank you.</p> <p>17 MS. WOLFE: Does anyone on the phone have</p> <p>18 any questions?</p> <p>19 MR. STRANG: Nope.</p> <p>20 MR. ERZEN: Mark Erzen, no questions.</p> <p>21 MR. LEWIS: Marty Lewis, no questions.</p> <p>22 MR. HARBECK: Bill Harbeck, no questions.</p> <p>23 MS. WRIGHT: Vicki Wright, no questions.</p> <p>24 MR. CAMPBELL: Well, we have some. We'll</p> <p>25 take a short break, then come back.</p>

<p style="text-align: right;">Page 77</p> <p>1 (Whereupon, a recess was taken.)</p> <p>2 CROSS EXAMINATION</p> <p>3 BY MR. CAMPBELL:</p> <p>4 Q Good afternoon, Mr. Wall. How are</p> <p>5 you?</p> <p>6 A Just fine.</p> <p>7 Q My name is Drew Campbell, and I</p> <p>8 represent Dayton Power and Light. I'm going to ask</p> <p>9 you a few questions that are related to some of the</p> <p>10 things you talked about earlier today and maybe</p> <p>11 some other things. Is that okay?</p> <p>12 A Okay.</p> <p>13 Q First, I want to make sure I</p> <p>14 understand exactly the years that you were working</p> <p>15 and where. I know we talked about that, and you</p> <p>16 were pretty specific, but my notes aren't as clear</p> <p>17 as they might be so I'm going to start with that.</p> <p>18 Okay. Now, you said that you started</p> <p>19 first working for DP&L in 1956; right?</p> <p>20 A Mm-hmm.</p> <p>21 Q And you were in Xenia at that time;</p> <p>22 right?</p> <p>23 A Right.</p> <p>24 Q And we talked about Sycamore Street,</p> <p>25 and then we talked about Hoop Road; right?</p>	<p style="text-align: right;">Page 79</p> <p>1 Broadway.</p> <p>2 Q And when did you start working on</p> <p>3 Woodman Drive?</p> <p>4 A I have no idea. I don't know what</p> <p>5 year.</p> <p>6 Q Let me ask you this. How long were</p> <p>7 you with the Dayton Service Center? Do you</p> <p>8 remember that? I mean at the Service Center on</p> <p>9 Broadway.</p> <p>10 A Broadway? Probably ten years. I</p> <p>11 wouldn't swear to it.</p> <p>12 Q So from about 1965 to about 1975?</p> <p>13 A Yeah, and then I went to Broadway --</p> <p>14 or Woodman Drive, I think.</p> <p>15 Q And how long were you at Woodman</p> <p>16 Drive?</p> <p>17 A Couple years. Maybe three years</p> <p>18 there.</p> <p>19 Q So maybe 1978?</p> <p>20 A Yeah.</p> <p>21 Q Plus or minus?</p> <p>22 A Something like that.</p> <p>23 Q Now, where did you go after that?</p> <p>24 A To Xenia.</p> <p>25 Q So back to Xenia. And then you</p>
<p style="text-align: right;">Page 78</p> <p>1 A Mm-hmm.</p> <p>2 Q And Hoop Road was the one a couple</p> <p>3 miles outside of town?</p> <p>4 A About two and a-half miles, yeah.</p> <p>5 Q And you were there for about nine</p> <p>6 years; right?</p> <p>7 A Yeah.</p> <p>8 Q And then you went to the Service</p> <p>9 Center on South Broadway; right?</p> <p>10 A Right.</p> <p>11 Q So that would have been about 1965?</p> <p>12 A Whatever.</p> <p>13 Q And I'm just taking 1956 plus nine,</p> <p>14 so I get to 1965. Do you agree with that?</p> <p>15 A Yeah.</p> <p>16 Q And you were there until you went</p> <p>17 back to Xenia; is that right?</p> <p>18 A No. I was at -- I was there, and</p> <p>19 then they built a place on Woodman Drive or rented</p> <p>20 it and made a satellite out on Woodman Drive.</p> <p>21 Q Where is Woodman Drive?</p> <p>22 A It's in Dayton. It's right there</p> <p>23 just past Smithville, I don't know, towards Xenia.</p> <p>24 Q Towards Xenia?</p> <p>25 A Yeah. That would be south of</p>	<p style="text-align: right;">Page 80</p> <p>1 stayed there till you retired?</p> <p>2 A Till I retired.</p> <p>3 Q So that's about 1978 to about 2002?</p> <p>4 A Mm-hmm.</p> <p>5 Q I just want to make sure I</p> <p>6 understand all of your positions. I want to go</p> <p>7 back over that real quick.</p> <p>8 Starting in 1956 when you first worked in</p> <p>9 Xenia, what was your position there?</p> <p>10 A I was a laborer in the Gas</p> <p>11 Department, hired in.</p> <p>12 Q A laborer in the Gas Department?</p> <p>13 A Mm-hmm. A dollar fifty-six cents an</p> <p>14 hour.</p> <p>15 Q And how long did you do that?</p> <p>16 A Let's see. How long was I a</p> <p>17 laborer?</p> <p>18 Q How long you were a laborer, yeah.</p> <p>19 A Oh, probably six months to a year.</p> <p>20 Then I went to pipeman.</p> <p>21 Q Pipeman?</p> <p>22 A Yeah.</p> <p>23 Q And this is all in connection with</p> <p>24 working in the Gas Department?</p> <p>25 A Yeah.</p>

<p style="text-align: right;">Page 81</p> <p>1 Q And how long were you a pipeman for 2 the Gas Department? 3 A Probably four, five years. Let's 4 see. Wait a minute. Yeah, about four years. 5 Q About four years you think? 6 A Yeah. 7 Q So if you were a laborer for about a 8 year and a pipeman for about four years, that gets 9 us to five years then? 10 A Right. 11 Q So now we're about 1961 or so. What 12 did you do next? 13 A I think I become an equipment 14 operator, and then I come to Dayton. 15 Q So you were an equipment operator 16 then? 17 A Yeah. I transferred -- I didn't 18 work there too long. Probably about a year. Then 19 I went into the Line Department in Xenia, 20 apprentice lineman, nine years after I hired in. 21 Q Sorry. Let me back up. You started 22 out as a laborer -- 23 A Yeah. 24 Q -- for about six to 12 months? 25 A Yeah.</p>	<p style="text-align: right;">Page 83</p> <p>1 starting in 1956 you were a laborer in the Gas 2 Department for about a year, a pipeman for about 3 four years, and an equipment operator for about one 4 year, and then you moved to the Line Department as 5 an apprentice lineman for about six months, and 6 then you went to Dayton? 7 A Broadway. 8 Q To Broadway. And that would have 9 been then about 1965? 10 A Mm-hmm. 11 Q So let's talk about what you did in 12 1965. What was your first job at the South 13 Broadway facility? 14 A Worked with George Lewis. 15 Q And you said that was for six 16 months; correct? 17 A Yeah. A little better maybe. 18 Q Were you still an apprentice lineman 19 at that point? 20 A Yeah. That was part of the 21 apprentice lineman program. 22 Q And then after the six months with 23 George you said you began to work under some other 24 supervisors; right? 25 A Yeah.</p>
<p style="text-align: right;">Page 82</p> <p>1 Q Then a pipeman for about four years. 2 Then you were an equipment operator for about one 3 year? 4 A Mm-hmm. 5 Q This is all in Xenia; right? 6 A Yeah. 7 Q All in the Gas Department; right? 8 A Yeah. 9 Q And then after the equipment 10 operator, then you became a lineman? 11 A Then I went to the Line Department. 12 Q And that was still in Xenia? 13 A Yeah. 14 Q And what was your job there? 15 A Apprentice lineman. 16 Q Apprentice lineman. And how long 17 were you an apprentice lineman? 18 A In Xenia? 19 Q Yeah. 20 A About six months. 21 Q And then you went to? 22 A Came to Dayton. 23 Q To the Broadway facility? 24 A Yeah. 25 Q Okay. So just so I can recap, then</p>	<p style="text-align: right;">Page 84</p> <p>1 Q And what was your job title then? 2 A Apprentice lineman. 3 Q Still apprentice lineman. And how 4 long were you apprentice lineman? 5 A Bill Weaver. 6 Q That was Tiny Weaver? 7 A Yeah. 8 Q Was he a big man? Is that why they 9 called him Tiny? 10 A Huh? 11 Q Was he a big man? 12 A No. 13 Q Every guy I ever knew named Tiny was 14 a big guy, so I was just wondering. 15 A About the size you are. 16 Q So he was a good-looking guy, too? 17 A Wouldn't say that. 18 Q Whoa. I'll move to strike. 19 So you worked with -- that was Jim 20 Weaver? 21 A No. 22 Q Bill, Bob? What's his name? 23 A Bill Weaver. 24 Q Bill, okay. And how long did you 25 work with Bill?</p>

Deposition of Clarence Wall, taken January 17, 2012

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<p>1 A Probably -- probably a year and 2 a-half. 3 Q Still as an apprentice lineman? 4 A Yeah. 5 Q And after that what was your title? 6 Did it change? 7 A Changed to special purpose equipment 8 operator. 9 Q So this would have been about 1968 10 thereabouts? 11 A Yeah. 12 Q And how long were you a special 13 purpose equipment operator? 14 A Till I went back to Xenia. 15 Q So that would be then to about 1975? 16 A Let's see. 17 Q Or '78? 18 A About '78 I'd say. 'Cause the 19 tornado was in '74. 20 Q So you did this for about ten years? 21 A Yeah. 22 Q And then when you were an apprentice 23 lineman that was in which department? 24 A What department? Line Department. 25 Q Line Department. And when you were</p>	<p>1 Q I'm going to add them, see how my 2 math is here. I come up with 48 years. Does that 3 sound about right? 4 A Yeah. That's what I had in, 48 5 years. 6 Q Okay. 7 MR. MOSS: Off the record. 8 (Whereupon, a discussion was held off the 9 record.) 10 MR. CAMPBELL: Back on. 11 BY MR. CAMPBELL (Continuing): 12 Q So, Mr. Wall, for the 48 years that 13 you worked with DP&L, I think you said earlier that 14 it was only that six-month time period when you 15 worked with Mr. Lewis that you brought materials 16 and things like that to the South Dayton Dump? 17 A Mm-hmm. 18 Q So for the other 47 and a-half years 19 you didn't have any reason to be bringing things to 20 the South Dayton Dump? 21 A No. Right. 22 Q And that would have been that 23 six-month period starting sometime in 1965; right? 24 A Mm-hmm. 25 Q Now, I think you said -- I wrote</p>
Page 86	Page 88
<p>1 a special equipment operator -- 2 A Line Department. 3 Q Pardon me? 4 A Line Department. 5 Q Line Department? And then you 6 returned to Xenia about 1978? 7 A Mm-hmm. 8 Q And what was your job there? 9 A Equipment operator. 10 Q Same position? 11 A Mm-hmm. Well, basically. 12 Q And it's the same title, but you 13 said you operated some other machines? 14 A Well, they -- yeah, same thing. 15 Only I didn't run the pulling truck as much. 16 Q And were there any changes in your 17 job title between 1978 and your retirement in 2002? 18 A Hmm-mm. 19 Q That's pretty much how you ended 20 your career then? 21 A Yeah. 22 Q Okay. So that was the next 24 23 years; correct? 24 A Yeah. Does that figure up to about 25 48 years?</p>	<p>1 this down -- that during that six-month period you 2 might have taken materials to the South Dayton Dump 3 maybe two or three times? 4 A Yeah. 5 Q And that's two to three times that 6 you personally went to the dump; right? 7 A Yes. 8 Q And can you tell me what materials 9 you brought to the dump for those two or three 10 trips? 11 A Usually it was dirt, poles and 12 transformers. 13 Q Now, I think you said that as an 14 apprentice lineman a big part of your job was to 15 kind of clean up after the linemen; is that right? 16 In other words, you'd go out to a job site where 17 they had been earlier, and you'd clean up whatever 18 was -- 19 A That's when I was with George Lewis. 20 Q Right. That's what I'm talking 21 about now was that time period with George. 22 A Okay. Yeah. 23 Q You basically cleaned up after the 24 linemen? 25 A Pardon?</p>

22 (Pages 85 to 88)

<p style="text-align: right;">Page 89</p> <p>1 Q You'd clean up after the linemen?</p> <p>2 A Yeah.</p> <p>3 Q Now, you mentioned you brought dirt,</p> <p>4 and I think you said at one point there might be a</p> <p>5 wheelbarrow full of dirt?</p> <p>6 A Yeah.</p> <p>7 Q I think at one point you said</p> <p>8 sometimes it was good dirt, sometimes it was bad</p> <p>9 dirt. Were you talking about during that time</p> <p>10 period?</p> <p>11 A Some of it had oil in it where the</p> <p>12 transformers leaked or fell, and it would have oil</p> <p>13 and we'd clean it up.</p> <p>14 Q So in those two to three times you</p> <p>15 went to the dump sometimes the dirt had oil,</p> <p>16 sometimes it didn't?</p> <p>17 A Right.</p> <p>18 Q Do you remember was it one time it</p> <p>19 had oil or --</p> <p>20 A I can't remember.</p> <p>21 Q Can't remember. But not every time.</p> <p>22 Sometimes the dirt was just fill dirt?</p> <p>23 A Well, if we just took poles the dirt</p> <p>24 probably didn't have nothing -- only time we had</p> <p>25 oil was when we had a bad transformer.</p>	<p style="text-align: right;">Page 91</p> <p>1 Q Now, you were aware that some</p> <p>2 transformers would get brought back to the Service</p> <p>3 Center; correct?</p> <p>4 A Right.</p> <p>5 Q And sometimes they would take those</p> <p>6 and they could recondition those; right?</p> <p>7 A Right.</p> <p>8 Q But the two or three trips you took</p> <p>9 to the South Dayton Dump were times when those</p> <p>10 transformers had been cracked and the oil had</p> <p>11 leaked out; right?</p> <p>12 A Right.</p> <p>13 Q Now, did you bring a transformer on</p> <p>14 each one of those trips, or were there trips where</p> <p>15 you didn't have a transformer?</p> <p>16 A Oh, there was probably trips that we</p> <p>17 didn't take a transformer, just be poles.</p> <p>18 Q So in those two to three trips that</p> <p>19 you remember taking throughout that six-month time</p> <p>20 period with George Lewis, you had a transformer at</p> <p>21 least once, but probably not each trip?</p> <p>22 A Not all three times. Probably not.</p> <p>23 Maybe twice or once. I don't know.</p> <p>24 Q Once or twice?</p> <p>25 A Yeah.</p>
<p style="text-align: right;">Page 90</p> <p>1 Q Let's talk about the transformers</p> <p>2 then. When you took those to the dump were these</p> <p>3 transformers that had been damaged?</p> <p>4 A Yeah.</p> <p>5 Q I think you said sometimes after</p> <p>6 storms; is that right?</p> <p>7 A Mm-hmm.</p> <p>8 Q Say yes for the court reporter.</p> <p>9 A Yes.</p> <p>10 Q And other times when they had been</p> <p>11 brought down by an accident or some kind of violent</p> <p>12 event; right?</p> <p>13 A Right.</p> <p>14 Q Can you tell me when you saw those</p> <p>15 transformers were those things pretty broken up?</p> <p>16 A They were usually -- the porcelain</p> <p>17 was broke, and that let the oil out.</p> <p>18 Q So the oil would leak out of those?</p> <p>19 A Right.</p> <p>20 Q Was the casing also cracked or just</p> <p>21 --</p> <p>22 A Yes.</p> <p>23 Q So both were cracked?</p> <p>24 A The metal would be dented on the</p> <p>25 transformer, the round part of it.</p>	<p style="text-align: right;">Page 92</p> <p>1 Q But you're not quite sure at this</p> <p>2 point?</p> <p>3 A Right.</p> <p>4 Q Now, remember Miss Wolfe asked you</p> <p>5 some questions about were there any other times</p> <p>6 that you actually saw a DP&L truck going into the</p> <p>7 South Dayton Dump?</p> <p>8 A Mm-hmm.</p> <p>9 Q And I think you said that you did</p> <p>10 remember sometimes seeing those trucks go in;</p> <p>11 right?</p> <p>12 A Right.</p> <p>13 Q What time period was that, do you</p> <p>14 recall?</p> <p>15 A Pardon?</p> <p>16 Q What time period, do you recall?</p> <p>17 Was this sometime during the sixties or during the</p> <p>18 seventies or --</p> <p>19 A I don't remember.</p> <p>20 Q You don't remember?</p> <p>21 A Hmm-mm.</p> <p>22 Q And how was it that you happened to</p> <p>23 see these trucks going to the dump?</p> <p>24 A I'd be out on the dock, and they</p> <p>25 would come down and go in there, dump --</p>

<p style="text-align: right;">Page 93</p> <p>1 Q So you'd be -- go ahead.</p> <p>2 A Dump the transformer, and then</p> <p>3 they'd go over to the building and back into the</p> <p>4 dock.</p> <p>5 Q So when you say you're on the dock,</p> <p>6 you're standing on the loading dock at the Service</p> <p>7 Center; right?</p> <p>8 A Right.</p> <p>9 Q And you're looking out I think to</p> <p>10 the west?</p> <p>11 A Towards the bridge.</p> <p>12 Q Towards the bridge you're saying?</p> <p>13 A Yeah. That's where I think it came</p> <p>14 from the way I looked at it. I don't know.</p> <p>15 Q So you're looking to the west.</p> <p>16 You're on the dock, and you're on one side of the</p> <p>17 street. And where was the dock on the Service</p> <p>18 Center? What part of the property? Was that the</p> <p>19 northern part or some other --</p> <p>20 A Faced Broadway.</p> <p>21 Q Faced Broadway. Was it on the</p> <p>22 northern part of the property or southern part of</p> <p>23 the property, do you remember?</p> <p>24 A It was on the south side.</p> <p>25 Q So you're on the southern piece of</p>	<p style="text-align: right;">Page 95</p> <p>1 A Right.</p> <p>2 Q And you said that -- I think you</p> <p>3 said that there were transformers on those trucks?</p> <p>4 A Mm-hmm.</p> <p>5 Q How did you know that?</p> <p>6 A You could see it on -- they'd tie</p> <p>7 'em right on the back of the truck.</p> <p>8 Q They'd tie 'em on the back of the</p> <p>9 truck. And what kind of trucks were these?</p> <p>10 A Line trucks.</p> <p>11 Q Line trucks. So can you describe a</p> <p>12 line truck for me?</p> <p>13 A Well, they're usually just like a</p> <p>14 regular truck, and they have sides on 'em up so</p> <p>15 high, and then the top.</p> <p>16 Q So you said "sides." These are</p> <p>17 trucks that had big panels on the side; right?</p> <p>18 A Right.</p> <p>19 Q And so there was a door on the</p> <p>20 outside you can open and access tools and stuff?</p> <p>21 Is that how it worked?</p> <p>22 A Usually -- it was a curtain, and it</p> <p>23 usually never got closed. It was always open.</p> <p>24 Q Okay. So when you said that there</p> <p>25 was sides --</p>
<p style="text-align: right;">Page 94</p> <p>1 the property. You're looking to the west. You're</p> <p>2 looking at the cross street, and you said that you</p> <p>3 saw trucks pulling into the dump; right?</p> <p>4 A Yeah.</p> <p>5 Q Now, they pulled into an entrance on</p> <p>6 the north side of the dump, right, up towards the</p> <p>7 bridge?</p> <p>8 A Yeah.</p> <p>9 Q So you're on the south side of the</p> <p>10 property looking north up the street at the trucks;</p> <p>11 right?</p> <p>12 A Yeah.</p> <p>13 Q And so you could see them drive in;</p> <p>14 correct?</p> <p>15 A Mm-hmm.</p> <p>16 Q And about how far was that, the</p> <p>17 distance? We could go measure it, and maybe we</p> <p>18 will, but --</p> <p>19 A Probably from here to that building</p> <p>20 over there.</p> <p>21 Q Five hundred yards or so?</p> <p>22 A Yeah.</p> <p>23 Q So you're about 500 yards away, and</p> <p>24 you're looking at trucks turning into the South</p> <p>25 Dayton Dump?</p>	<p style="text-align: right;">Page 96</p> <p>1 A Yeah.</p> <p>2 Q -- that were so high --</p> <p>3 A Yeah.</p> <p>4 Q -- how high were they?</p> <p>5 A They had a roof on it that you could</p> <p>6 slide back.</p> <p>7 Q And how high were the sides?</p> <p>8 A Oh, probably four foot or six foot</p> <p>9 maybe.</p> <p>10 Q What were they made of? That was</p> <p>11 just the sheet metal on the side of the truck?</p> <p>12 A Right. Just sheet metal, yeah.</p> <p>13 Q And then you said there was a roof</p> <p>14 that you could slide back and forth?</p> <p>15 A Mm-hmm.</p> <p>16 Q Was that canvas?</p> <p>17 A Well, it wasn't a canvas. It was a</p> <p>18 steel roof you slid back and forth, and then the</p> <p>19 canvas would come down if you wanted it to in the</p> <p>20 back.</p> <p>21 Q The canvas was in the back?</p> <p>22 A Yeah, but we never used it because</p> <p>23 we always backed into the dock.</p> <p>24 Q So you had four to six feet of sheet</p> <p>25 metal on the side?</p>

<p style="text-align: right;">Page 97</p> <p>1 A Right.</p> <p>2 Q You had a --</p> <p>3 A Top.</p> <p>4 Q -- top that was made out of sheet</p> <p>5 metal also, whatever you call it?</p> <p>6 A Mm-hmm.</p> <p>7 Q Then you had a canvas drop in the</p> <p>8 back that you could open or close?</p> <p>9 A Right.</p> <p>10 Q And so you're looking at the -- up</p> <p>11 the street?</p> <p>12 A Mm-hmm.</p> <p>13 Q And you see trucks coming across the</p> <p>14 bridge and turning into the dump?</p> <p>15 A Mm-hmm.</p> <p>16 Q But you could see transformers on</p> <p>17 those trucks?</p> <p>18 A Yeah.</p> <p>19 Q Now, how could you see the</p> <p>20 transformers?</p> <p>21 A There was a pole right at the base</p> <p>22 of the truck, and they usually -- always took and</p> <p>23 tied the transformer off to that pole on that</p> <p>24 truck.</p> <p>25 Q So just so I understand, was the</p>	<p style="text-align: right;">Page 99</p> <p>1 dump it, but I seen it on there. When he come into</p> <p>2 the building he didn't have it.</p> <p>3 Q And that was my next question. You</p> <p>4 didn't actually see him come out of the dump</p> <p>5 either. You just saw him drive into the parking</p> <p>6 lot of the building or pull up to the dock?</p> <p>7 A I don't remember seeing him come out</p> <p>8 of there. He backed up to the dock next time I</p> <p>9 seen him, but I wasn't watching him all the time.</p> <p>10 Q And I think you said that you</p> <p>11 believe that they had put the transformer in the</p> <p>12 dump; right?</p> <p>13 A Mm-hmm.</p> <p>14 Q Now, did you know what condition the</p> <p>15 transformer was in?</p> <p>16 A No. I didn't ask him.</p> <p>17 Q And you couldn't see from where you</p> <p>18 were, right, what condition it was in?</p> <p>19 A No. But I imagine it wasn't good.</p> <p>20 Q Well --</p> <p>21 A I mean, I don't know.</p> <p>22 Q You'd be guessing it wasn't good;</p> <p>23 right?</p> <p>24 A Huh?</p> <p>25 Q You'd guess that it's not good</p>
<p style="text-align: right;">Page 98</p> <p>1 transformer still attached to the pole or was it --</p> <p>2 A Just like this. There'd be a pole</p> <p>3 right here. This is the truck bed. And they'd set</p> <p>4 the transformer right here. And then when they</p> <p>5 pulled in the gate they went that way, and you</p> <p>6 could see the transformer there.</p> <p>7 Q So was the transformer actually</p> <p>8 sitting sort of -- sitting on a pole like almost</p> <p>9 like a hook or something?</p> <p>10 A It was sitting right on the bed of</p> <p>11 the truck.</p> <p>12 Q Right on the bed.</p> <p>13 A Yeah, but it was tied off to that.</p> <p>14 It had a little winch on 'em. You could winch 'em.</p> <p>15 Q And so you're saying that you could</p> <p>16 see a transformer on the back of that truck --</p> <p>17 A Yeah.</p> <p>18 Q -- and you could see it drive into</p> <p>19 the dump and see it come out of the dump?</p> <p>20 A Well, I seen him go into the dump</p> <p>21 with it, and I seen him when he came over to the</p> <p>22 building.</p> <p>23 Q So you saw the truck go into the</p> <p>24 dump; right?</p> <p>25 A Yeah. I didn't actually see him</p>	<p style="text-align: right;">Page 100</p> <p>1 because --</p> <p>2 A Right.</p> <p>3 Q -- you assume they put it in the</p> <p>4 dump; right?</p> <p>5 A Right.</p> <p>6 Q I think you said that you saw oil in</p> <p>7 the bed of the truck?</p> <p>8 A Yes.</p> <p>9 Q Now, we're talking about -- I'm</p> <p>10 trying to figure out what the time period is here.</p> <p>11 This is sometime while you're working in Dayton at</p> <p>12 the South Broadway facility; right?</p> <p>13 A Yeah.</p> <p>14 Q So it's sometime between 1965 and</p> <p>15 1975; right?</p> <p>16 A Mm-hmm.</p> <p>17 Q These would be times, I guess, when</p> <p>18 you weren't actually out working. For some reason</p> <p>19 you're back at the plant; right?</p> <p>20 A Mm-hmm. We might have got done on</p> <p>21 the job, you know, half an hour, an hour early. So</p> <p>22 we'd go back and clean the truck off and stuff.</p> <p>23 Q This might happen at the very end of</p> <p>24 the day or something like that?</p> <p>25 A Right.</p>

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<p>1 Q Do you remember about how often you 2 saw something like this happen? 3 A Not very often. 4 Q It's not very often at all? 5 A No. 6 Q Five times in the course of the ten 7 years? 8 A I never saw it that many times 9 probably. 10 Q Even fewer than that? 11 A Huh? 12 Q Even fewer than that? 13 A Yeah. 14 Q Maybe two times? 15 A Probably two or three times maybe. 16 Q Two to three times over ten years? 17 A Mm-hmm. 18 Q Now, you said that you saw oil in 19 the bed of the truck, and that was another reason 20 why you assumed that they had brought a transformer 21 to the dump; right? 22 A Yeah. 23 Q Now, did you know whether there was 24 any PCBs in the oil? 25 A At that time I didn't. Well, they</p>	<p>1 A Bridge. 2 Q -- the bridge when you saw a DP&L 3 truck come in and then turn into the South Dayton 4 Dump, and you said that you believed that you saw a 5 transformer on the bed. 6 A Mm-hmm. 7 Q And that when the truck came up to 8 the dock later it wasn't there; right? 9 A Right. 10 Q And I think what you said that it 11 was your assumption that they must have disposed of 12 that transformer at the dump; right? 13 A Right. 14 Q I guess my question is, are you sure 15 that's what happened as opposed to that transformer 16 being dropped off at the transformer shop? 17 A No, it didn't -- there ain't no 18 transformer shop over there. 19 Q Well, there's one at the Service 20 Center; right? 21 A The one in back of where I was 22 standing, but he didn't -- he came in -- came out 23 of there, went down and came in the south gate, 24 pulled up and backed right into his spot. 25 Q Well, when I asked you earlier you</p>
Page 102	Page 104
<p>1 didn't worry about that stuff. 2 Q Well, my question is different, 3 though. Did you know that there were PCBs in the 4 oil? 5 A No, I didn't know it. 6 Q And, in fact, you don't know whether 7 there's PCBs in the oil in the transformers that 8 you moved; right? 9 A No. 10 Q I think you said that there were 11 times when you put your arms into these 12 transformers all the way up to your elbows to work 13 some of these keys, and you washed it off with cold 14 water and you never had any problems; right? 15 A Right. 16 Q So sitting here today, you don't 17 know one way or another whether any of the oil 18 we're talking about today had PCBs in it; correct? 19 A No. I can't guarantee it. 20 MR. CAMPBELL: Let's have five minutes. 21 (Whereupon, a recess was taken.) 22 Q Mr. Wall, I just have a couple of 23 last questions. We were talking about those couple 24 of times when you were looking north up towards the 25 --</p>	<p>1 said that you didn't actually see them pull in. 2 You just saw them at the dock. You didn't see them 3 leave the dump. You saw the truck at the dock. 4 You said there was no transformer there, and there 5 was oil in the bed and you assume -- 6 A That was after they came across the 7 bridge and went back into the dump. Then they came 8 out of the dump and went down -- came in the South 9 Yard, come up and backed into the dock. 10 Q Just so I'm clear, did you see them 11 come out of the dump? A moment ago when I asked 12 you you said -- 13 A No, I did not see 'em come out of 14 the dump, but I seen 'em come up and back the truck 15 in. 16 Q Well, my question is, you said you 17 saw them backing the truck to the dock at the 18 Service Center; right? 19 A Right. 20 Q How do you know that they hadn't 21 dropped the transformer at the transformer shop 22 before they pulled back at the dock you were 23 standing at? Do you know whether they did or 24 didn't? 25 A I seen 'em when they came in the</p>

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<p style="text-align: right;">Page 105</p> <p>1 gate down at the bottom -- the south gate I seen 2 'em come in there. So they -- the only other place 3 they could have dumped it would have been in the 4 South Yard, and they wouldn't have dumped it over 5 there. 6 Q So just so I'm tracking with you, 7 you're saying you actually saw the truck enter the 8 DP&L parking lot; correct? 9 A Right. 10 Q So you didn't see it leave the dump. 11 You saw it come into the parking lot; right? 12 A Right. And I saw it going into the 13 dump. 14 Q I got that part. 15 A Okay. 16 Q I'm talking about how is it that you 17 know standing on the dock at DP&L that that 18 transformer wound up in the South Dayton Dump as 19 opposed to, you know, for example, the transformer 20 shop at the Service Center? See, we talked earlier 21 about how a lot of transformers came there and 22 people would decide whether they could be 23 reconditioned or not, and a lot of them were 24 reconditioned. Do you remember that? 25 A Yeah.</p>	<p style="text-align: right;">Page 107</p> <p>1 there. 2 Q So you never saw any transformers 3 over there? 4 A No. 5 Q So a minute ago you thought maybe 6 they had some for substations, but -- 7 A Well, yeah, substation stuff. I 8 don't know whether it's -- they have oil switches, 9 which is, you know, similar to a transformer, but 10 they look -- they look about like a transformer, 11 but I ain't that -- I wasn't into it that much. 12 Q Now, you said that during that 13 six-month period Mr. Lewis once or twice you 14 thought may have taken a transformer to the South 15 Dayton Dump in the truck you drove in; right? 16 A The truck that I was on with him. 17 Q How was that -- do you remember how 18 that transformer or transformers were actually 19 moved from the truck into the dump site? Do you 20 know how they got it off the truck? 21 A Yeah, I know how he got 'em off. 22 Q How did he get 'em off? 23 A Hooked a winch to the cable on the 24 trailer and the winch brought it up and we dumped 25 'em and we drove away.</p>
<p style="text-align: right;">Page 106</p> <p>1 Q So how do you know it didn't wind up 2 over there as opposed to in the South Dayton Dump? 3 A Because he never drove around there. 4 Q So you're saying that you saw them 5 enter the parking lot and go directly from the 6 parking lot to the dump? 7 A To the dump. 8 Q And you didn't think they could 9 leave it at the South Yard; correct? 10 A No. 11 Q And why is that? 12 A Because they never left transformers 13 at the South Yard. 14 Q You never saw a transformer there? 15 A No, not a damaged one or anything. 16 Q Did you ever see a new one over 17 there? 18 A Not unless it was a great big one 19 for substations. 20 Q They did keep some transformers over 21 there? 22 A Huh? 23 Q So they did keep some there 24 periodically you're saying? 25 A I don't remember of any being over</p>	<p style="text-align: right;">Page 108</p> <p>1 Q I think you said in your deposition 2 that -- well, that you mostly dealt with much 3 smaller transformers. 4 A They are. 5 Q I think you said like 10s -- 6 A We'd get rid of the poles, 7 transformers and dirt when we'd dump it. 8 Q I'm glad you mentioned that. So 9 when you brought the winch, was it just the 10 transformer or is it still attached to the pole? 11 A Broken pole, yeah. 12 Q So it was still attached to the 13 pole? 14 A Yeah, some of 'em. 15 Q 'Cause a minute ago you said that 16 you remember only once or twice having a 17 transformer that you actually saw -- 18 A Right. 19 Q -- go into that dump site on a truck 20 you were on. 21 A Right. 22 Q So your memory is that they were 23 attached to a pole, or at least one time was 24 attached to a pole? 25 A Yeah. I mean, they was attached to</p>

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<p style="text-align: right;">Page 109</p> <p>1 a pole. Sometimes we would take 'em off just to 2 make it easier to load -- to load the transformer 3 separate and it separate, but it didn't matter 4 whether it set up or laid down to us. It was junk. 5 We just loaded everything on the trailer and took 6 it over and dumped it. 7 Q Now, was it actually in the bed of 8 your truck or on a trailer? 9 A It was on a trailer. 10 Q On a trailer. Okay. After you -- 11 well, strike that. 12 MR. CAMPBELL: I don't think I have 13 anything else. Thanks for your time. 14 THE WITNESS: You're welcome. 15 MR. CAMPBELL: Anybody on the phone have 16 any questions? 17 MR. HARBECK: Still not here. This is 18 Bill Harbeck. 19 MR. ERZEN: Mark Erzen, no questions. 20 MR. LEWIS: Marty Lewis, no questions. 21 MS. WRIGHT: Vicki Wright, no questions. 22 MS. WOLFE: And I don't have any further 23 questions for you either. 24 MR. MOSS: No questions. 25 MS. WOLFE: That means you're done.</p>	<p style="text-align: right;">Page 111</p> <p>1 I, CLARENCE WALL, do hereby certify that 2 the foregoing is a true and accurate transcript of 3 my testimony. 4 5 6 7 8 CLARENCE WALL 9 10 STATE OF OHIO) 11) SS: 12 COUNTY OF _____) 13 Sworn to before me and subscribed in my 14 presence by the same CLARENCE WALL, this ____ day 15 of _____, 2012. 16 17 18 19 NOTARY PUBLIC 20 My Commission expires: _____ 21 22 23 24 25</p>
<p style="text-align: right;">Page 110</p> <p>1 Mr. Wall, you can have the transcript of 2 your testimony sent to you, and that would give you 3 an opportunity to read it and make sure that the 4 court reporter took down everything you said 5 accurately. And you can indicate anything that was 6 not taken down accurately and then return it back 7 to the court reporter, so that way you're reviewing 8 it before it becomes final. Would you like to do 9 that? 10 THE WITNESS: I don't know. 11 MS. WOLFE: I think that you don't have 12 to decide now. You can have it sent to you, and 13 then if you decide you don't want to look at it, 14 just send it back to her. How about that? Would 15 that work? 16 THE WITNESS: Yeah. 17 (The taking of the deposition concluded 18 at 3:45 o'clock p.m.) 19 20 21 22 23 24 25</p>	<p style="text-align: right;">Page 112</p> <p>1 PLEASE USE THIS ERRATA SHEET TO MAKE ANY 2 AND ALL CORRECTIONS BY LISTING THE PAGE NUMBER, 3 LINE NUMBER AND THEN A BRIEF DESCRIPTION OF THE 4 ERROR. PLEASE DO NOT MAKE ANY MARKS OR CORRECTIONS 5 ON THE TRANSCRIPT. IF NEEDED, USE THE BACK OF THIS 6 SHEET. 7 UPON COMPLETION, PLEASE SIGN AND DATE THIS 8 SHEET AT THE BOTTOM. THANK YOU. 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 SIGNATURE: _____ DATE: _____</p>

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1 STATE OF OHIO)
2) SS: C-E-R-T-I-F-I-C-A-T-E
3 COUNTY OF MIAMI)
4 I, SUSAN L. BICKERT, a Certified
5 Shorthand Reporter and Notary Public in and for the
6 State of Ohio at large, duly commissioned and
7 qualified,
8 DO HEREBY CERTIFY that the above-named
9 CLARENCE WALL was by me first sworn to testify to
10 the truth, the whole truth, and nothing but the
11 truth; that his testimony was reduced to writing by
12 me stenographically in the presence of the witness
13 and thereafter reduced to typewriting; that the
14 signature of the witness to the deposition was
15 expressly not waived, and was taken at the time and
16 place hereinafter set forth, pursuant to Notice and
17 Agreement of Counsel.
18 I FURTHER CERTIFY that I am not a rela-
19 tive nor attorney for either party herein, nor in
20 any manner interested in the event of this action.
21 IN WITNESS WHEREOF, I have hereunto set
22 my hand and seal of office this ____ day of
23 January, 2012.
24 _____
25 SUSAN L. BICKERT
Notary Public, State of Ohio
My Commission expires: 8-23-13

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